

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>		Work Assignment Number 3-55
		<input type="checkbox"/> Other <input type="checkbox"/> Amendment Number:
Contract Number EP-C-16-003	Contract Period 07/01/2016 To 06/30/2021 Base                      Option Period Number    3	Title of Work Assignment/SF Site Name Water Related Planning
Contractor EASTERN RESEARCH GROUP, INC.		Specify Section and paragraph of Contract SOW See PWS
Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval		Period of Performance  From 07/01/2019 To 06/30/2020
Comments: Work shall not start and cost cannot incur until July 1, 2019. On July 1, 2019, and in accordance with clause B.2 of the contract, immediate start is hereby approved for this work assignment. If the work plan is not approved within 30 calendar days after receipt of the work plan, the contractor shall stop work.		
<input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund		
SFO <input type="checkbox"/> (Max 2)                      Note: To report additional accounting and appropriations date use EPA Form 1900-69A.		
Line	DCN (Max 6) Budget/FY (Max 4) Appropriation Code (Max 6) Budget Org/Code (Max 7) Program Element (Max 9) Object Class (Max 4)	Amount (Dollars) (Cents) Site/Project (Max 8) Cost Org/Code
1		
2		
3		
4		
5		
Authorized Work Assignment Ceiling		
Contract Period: 07/01/2016 To 06/30/2021                      Cost/Fee:		LOE: 0
This Action:		233
Total:		233
Work Plan / Cost Estimate Approvals		
Contractor WP Dated:                      Cost/Fee		LOE:
Cumulative Approved:                      Cost/Fee		LOE:
Work Assignment Manager Name Tanya Nix  _____ (Signature)                      (Date)		Branch/Mail Code: Phone Number: 913-551-7170 FAX Number:
Project Officer Name Tangela Cooper  _____ (Signature)                      (Date)		Branch/Mail Code: Phone Number: 202-566-0369 FAX Number:
Other Agency Official Name  _____ (Signature)                      (Date)		Branch/Mail Code: Phone Number: FAX Number:
Contracting Official Name Tammy Adams  _____ (Signature)                      (Date)		Branch/Mail Code: Phone Number: 513-487-2030 FAX Number:

**PERFORMANCE WORK STATEMENT  
CONTRACT EP-C-16-003  
WORK ASSIGNMENT 3-55**

**TITLE:** Water Related Financial and Technical Small Community Assistance Planning

**WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):**

Tanya Nix  
USEPA REGION 7  
11201 Renner Blvd  
Mail Code: WWPDWIMB  
Lenexa, KS 66219

Phone: 913-551-7170

E-mail: [nix.tanya@epa.gov](mailto:nix.tanya@epa.gov)

**PERIOD OF PERFORMANCE:** July 1, 2019 through June 30, 2020

**BACKGROUND**

The Wastewater Infrastructure Management Branch (WIMB), within the Water, Wetlands, and Pesticide Division (WWPD) of the Region 7 U.S. Environmental Protection Agency (EPA) has multiple responsibilities under the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA). These duties include assisting states in providing technical and financial assistance to small towns within the region to promote sustainability. To accomplish this mission, the branch provides planning assistance, management strategies, guidance, assessments and technical support tools for use by the States, Indian Tribes, Universities, and Small Towns.

**PURPOSE AND OBJECTIVE**

In WA 1-55 and WA 2-55 of contract EP-C-16-003, the contractor developed a water infrastructure assessment tool for small towns and tribes – where there is a population of 1000 or less with particular emphasis on those with a population of 500 or less. The tool assesses the integrity and longevity of the public water supply and wastewater infrastructure. The tool includes, at a minimum:

- Review of a town's public water supply (treatment and distribution) and wastewater (collection and treatment) infrastructure – collectively, “water systems”;
- Asset Management element to assess the status and useful life water systems;
- Vulnerability assessment;
- Identification of those system components in need of repair or replacement; and
- A scheme for ranking system components in order of needed repair or replacement.

The contractor identified communities to beta test the tool.

The contractor ascertained whether portions of existing documents/tools could be modified and



combined to include in the tool that focuses on other small towns and tribes for use on a broader scale. For example, the EPA/Process Applications Composite Correction Program documents for drinking water and wastewater systems. This tool is designed to be used for multiple community applications.

The tool is advanced enough to accurately capture a picture of a small town's infrastructure status, while being simple enough to allow users with a modicum of technical drinking water and wastewater knowledge to utilize the tool.

WA 3-55 is intended to finalize the tools' beta testing process, modification based on beta test feedback, user guide, development of tool training slides in PowerPoint (and accompanying "test" version of a completed tools), and developing and presenting and educational Region 7 onsite training session to train stakeholders to use the tool.

## **SCOPE OF WORK**

### **TASK 1: Contractor shall continue to identify communities and test the tool using those communities**

#### ***Subtask 1A: Continued (from WA 1-55 and WA 2-55) Community identification***

The contractor shall continue to identify at least five small towns and one tribal community from WA 1-55 and 2-55 that are willing to allow the contractor to beta-test the tool on their water systems. During this phase, the contractor shall select one community and one tribal community, preferably a Region 7 tribal community, to beta test the tool utilizing the entire communities' drinking water system and underground infrastructure.

**Deliverables:** The contractor shall provide the names of the five small towns and one Region 7 tribal community including the one town and one Region 7 tribal community willing to participate in a full beta test to the WACOR for EPA approval within 30 days of receipt of work assignment. Within 15 days of receiving EPA Region 7 approval of the participants, the contractor shall inform the small town of their participation status.

Start and end dates are as follows for this Performance Work Statement (PWS): start/end times begin/end after the contractor receives the PWS.

#### ***Subtask 1B: Tool Testing Method***

The contractor shall develop a simple checklist to test the tool's effectiveness.

**Deliverables:** The contractor shall submit the draft tool test method checklist to the WACOR for review within 45 days of receipt of the work assignment. EPA will review the method. The Final version of the tool test method checklist is due within 15 days from receipt of EPA comments.

#### ***Subtask 1C: Tool Testing-Working with the Town***

The contractor shall beta-test the final draft tool on the identified small towns and tribal communities' water systems.

**Deliverables:** Within 60 days from receipt of the work assignment, the contractor will implement the tool for the EPA-approved small towns' water systems. The contractor shall submit a report of the tools effectiveness to the WACOR within 75 days of receipt of the work assignment.

## **TASK 2: Tool modification**

The contractor shall modify the tool based on the beta-testing results and EPA comments.

**Deliverables:** The contractor shall submit a modified tool based on the beta-test results to the WACOR for review within 90 days from receipt of work assignment. EPA will review the tool. The final version of the tool is due within 30 days from receipt of EPA comments.

## **TASK 3: Contractor shall provide tool usage training**

The contractor shall finalize a user manual to implement to the tool, develop training materials and provide Regional onsite training on the tool at a time and location identified by the WACOR not more than 120 days after acceptance of the final version of the tool.

**Deliverables:** The contractor shall finalize the tool user manual and provide to the WACOR within 120 days from receipt of work assignment. The contractor shall provide draft copies of the training materials and identify stakeholder training groups to the WACOR within 120 days from the receipt of work assignment. Final versions are due within 15 days of receipt of comments from EPA. The contractor shall train stakeholder groups at a time and location identified by the WACOR not more than 150 days after acceptance of the final version of the tool.

## **DELIVERABLES REQUIRED AND SCHEDULE FOR COMPLETION OF TASKS**

<b>Task</b>	<b>Item Require</b>	<b>Due Date</b>	<b>Number of Copies and Format Requirements</b>
1	1 Continued community identification	1 Within 30 days*	1 copy - Word Format or PDF
	2 Tool test method	2 Within 45 days*	2 copy - Word Format or PDF
	3 Work with community	3 Within 60 and 75 days*	3 copy - Word Format or PDF

2	Tool modification	Within 90 days*	copy - Word Format or PDF
3	1 User Manual 2 Power Point Training Slides 3 In-person or Webinar Training Module	1 Within 120 days* 2 Within 120* days 3 Within 210* days,	1 copy - Word Format or PDF 2 Respond with a written response or with a level of effort to complete the request 3 copy – Word, Power Point or PDF

\*of WA implementation

The Contractor shall notify the CO and WACOR in writing when 75% of the authorized work assignment LOE/labor hours and costs have been expended.

#### **CONTRACT PWS REFERENCE**

See Contract PWS Pages 9-14 of 28, *Task 3.4, “TECHNICAL AND ADMINISTRATIVE”, Pages 9-12 of 28, and Task 3.7, “PROGRAM SUPPORT INFORMATION MANAGEMENT”, Pages 13-14 of 28.*

#### **ANTICIPATED TRAVEL REQUIREMENTS**

All non-local travel shall be approved in advance by the Contract-Level Contracting Officer’s Representative (CL-COR) and shall be in accordance with the Contract.

#### **ADDITIONAL REQUIREMENTS**

Upon issuance of written technical direction, the Contractor shall submit for inspection all work in progress at any time under this work assignment. The Contractor shall develop and maintain files supporting each task.

The contractor shall contact the WACOR and/or the CL-COR by telephone to discuss any problems that may adversely affect the work on this Work Assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the WACOR and the CL-COR.

#### **CONTRACTOR IDENTIFICATION**

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

## **CONTROL REQUIREMENTS**

### Quality Assurance Project Plan (QAPP):

Publishing on the NPDES website does not require a QAPP, since the people who generate the data are responsible for the data's quality, and it is their responsibility to develop a QAPP, if one is needed for their primary data uses. The contractor shall provide source references for data that is published on the website.

### Enforcement Sensitive Information:

The contractor recognizes that contractor employees in performing tasks specified by this WA may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without Environmental Protection Agency (EPA) approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or WA, or with access to materials developed pursuant to such efforts, understand that this information is confidential, and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

### Project Employee Confidentiality Agreement

The contractor agrees that the contractor employee shall not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under this contract, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the CL-COR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of the contract.

### Conference/Meeting Guidelines and Limitations

The contractor shall immediately alert the WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

**PERFORMANCE REQUIREMENTS AND MEASUREABLE STANDARDS:**

This WA will be evaluated in accordance with the Quality Assurance Surveillance Plan in the contract award document.

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>		Work Assignment Number 3-65								
		<input type="checkbox"/> Other <input type="checkbox"/> Amendment Number:								
Contract Number EP-C-16-003	Contract Period   07/01/2016   To   06/30/2021 Base                      Option Period Number      3	Title of Work Assignment/SF Site Name Support for the EFAB								
Contractor EASTERN RESEARCH GROUP, INC.		Specify Section and paragraph of Contract SOW Task 3.9 Page 15; Task 8.0 Pages 23-24								
Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval		Period of Performance  From   07/01/2019   To   06/30/2020								
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SFO <input type="checkbox"/> Note: To report additional accounting and appropriations date use EPA Form 1900-69A. (Max 2)										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:		LOE:						
07/01/2016   To   06/30/2021										
This Action:						380				
Total:						380				
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name   Tara Johnson						Branch/Mail Code:				
<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"><span>(Signature)</span><span>(Date)</span></div>						Phone Number: 202-564-6186				
						FAX Number:				
Project Officer Name   Tangela Cooper						Branch/Mail Code:				
<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"><span>(Signature)</span><span>(Date)</span></div>						Phone Number: 202-566-0369				
						FAX Number:				
Other Agency Official Name						Branch/Mail Code:				
<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"><span>(Signature)</span><span>(Date)</span></div>						Phone Number:				
						FAX Number:				
Contracting Official Name   Tammy Adams						Branch/Mail Code:				
<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"><span>(Signature)</span><span>(Date)</span></div>						Phone Number: 513-487-2030				
						FAX Number:				

**PERFORMANCE WORK STATEMENT (PWS)**  
**CONTRACT NO. EP-C-16-003**  
**WA No. 3-65**  
**Anticipated Level of Effort (LOE): 380 hours**

1. **TITLE:** Support for the Environmental Financial Advisory Board (EFAB) Stormwater Infrastructure Finance Workgroup
2. **PERIOD OF PERFORMANCE:** July 1, 2019 – June 30, 2020
3. **EPA WORK ASSIGNMENT CONTRACTING OFFICER’S REPRESENTATIVE (WACOR):**

<b>Tara M. Johnson</b> <b>Phone:</b> 202-564-6186 <b>Fax:</b> 202-501-2346 johnson.tara@epa.gov	<b><u>USPS Mailing Address</u></b> 1200 Pennsylvania Ave NW (MC 4204M) Washington, DC 20460	<b><u>Courier Address</u></b> 1201 Constitution Ave NW Washington, DC 20004
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**EPA ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER’S REPRESENTATIVE (ALTERNATE WACOR):**

<b>Sonia Brubaker</b> <b>Phone:</b> 202-564-0120 <b>Fax:</b> 202-501-2346 brubaker.sonia@epa.gov	1200 Pennsylvania Ave NW (MC 4204M) Washington, DC 20460	1201 Constitution Ave NW Washington, DC 20004
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4. **BACKGROUND**

America’s Water Infrastructure Act of 2018 (AWIA), Section 4101, passed October 28, 2018, highlighted the need for more information on stormwater funding mechanisms across the nation and their respective impact to long-term utility management and affordability. The Stormwater Infrastructure Finance Workgroup will provide recommendations to the Environmental Protection Agency (EPA) in the following areas: (1) Identify how funding for stormwater infrastructure from such sources has been made available and utilized, in each state to address stormwater infrastructure needs; (2) Identify how the source of funding affects the affordability of the infrastructure, including consideration of the costs associated with financing the infrastructure; and (3) Evaluate whether such sources of funding are sufficient to support capital expenditures and long-term operation and maintenance costs. The Stormwater Infrastructure Finance Workgroup was established under the EFAB on March 21, 2019.

The EFAB is an independent advisory committee first chartered under the Federal Advisory Committee Act (FACA) in January 1989. The EFAB allows EPA to draw on the experience and expertise of the members, providing program offices information and advice on a broad range

of issues affecting federal policies and programs. The Stormwater Infrastructure Finance Workgroup was accepted as a charge by the EFAB. Fourteen members of the EFAB with stormwater finance expertise will serve as the workgroup. A final recommendation report from the workgroup is expected to be submitted to EPA by December 6, 2019, with a final report to Congress submitted from the EPA containing these recommendations by April 2020.

## **5. PURPOSE AND OBJECTIVE**

During the period of performance, the contractor shall support the Stormwater Infrastructure Finance Workgroup in completing area 1 of the AWIA, Section 4101. To accomplish this, the contractor shall collect existing information to assist in the compilation of current stormwater funding sources and host a series of five public meetings throughout the United States to identify current strategies and areas of improvement.

## **6. SCOPE OF WORK**

### **TASK 1: HOLD KICK-OFF MEETING**

Within 10 business days following work assignment period of performance start date of July 1, 2019, the contractor shall meet or hold a conference call with the EPA WACOR to discuss the details and schedule of completion of tasks and their deliverables. At the meeting, the EPA WACOR will clarify identify all task details as well as the schedule of deliverables with the contractor. The contractor shall submit a schedule of tasks to be completed and submission of deliverables to the EPA WACOR for review and approval. This meeting is intended to ensure full understanding of the deliverables and to ensure a full understanding of roles and expectations.

**Deliverables:** The contractor shall provide the EPA WACOR a schedule of tasks to be completed within 10 business days of the kick-off meeting.

### **TASK 2: SUPPORT FOR AWIA, SECTION 4101, AREA 1**

The contractor shall support the Stormwater Infrastructure Finance Workgroup in development of a compendium of current funding sources in each state. This compendium shall include:

- Federal funding sources
  - What federal agencies are funding stormwater activities?
    - Eligible recipients
    - Funding amounts
    - Coordination between agencies
    - Funding partnerships between federal and non-federal organizations
  - How are the funds issued?
    - Application process
    - Fund allocation to states and localities
    - Competitive and non-competitive process
    - Long-term programs versus one-time allocation



- Grant versus loan programs
  - How are these funds used?
- State and local funding sources
  - What state and local government generated resources are being used to fund stormwater activities?
    - Tax programs, grants, loans, rebates, etc.
    - Funding amounts
    - Eligible recipients
  - How are the funds being issued?
    - Application process
    - Competitive and non-competitive programs
    - Grant versus loan programs
  - How are these funds used?
- Private sector, including non-profit, funding sources
  - What private sector funds are available for stormwater activities?
    - Activities funded
    - Funding levels
    - Long-term programs versus one-time allocations
  - How are these funds coordinated with other sources of funding?
  - How are these funds used?

The compendium shall have a consistent look and feel and be reviewed thoroughly prior to submission to EPA WACOR for grammar, spelling, and formatting. EPA anticipates the final compendium shall contain approximately 100 pages. The final compendium will reflect all comments from EPA as well as those compiled from the workgroup.

**Deliverables:** The contractor shall provide two drafts and one final version of the compendium. The final version of the compendium from the contractor shall be 508-compliant. The contractor shall also provide one physical bound copy of the compendium to EPA.

### **TASK 3: SUPPORT FOR PUBLIC MEETINGS**

The contractor shall provide logistical support for five one-day public meetings throughout the United States. These meetings will allow space for public feedback on stormwater financing activities including but not limited to available funding and areas of improvement for stormwater financing.

The contractor shall work with the EPA to identify five locations to hold these meetings. EPA anticipates 50 attendees per meeting. Space must accommodate the anticipated number of attendees and provide audio/visual equipment, including projectors, projection screen, microphones, and speakers. Where possible, the contractor shall make every effort to secure government space for these meetings. For planning purposes, the contractor can anticipate meetings in the following areas:

- Boston, MA

- Kansas City, MO
- Washington, D.C.
- Tampa, FL (or another southeast U.S. city)
- West Coast (coinciding with the fall EFAB meeting)

The contractor shall provide onsite meeting support including but not limited to logistical troubleshooting. The contractor shall also provide one staff person to take notes during the public meetings.

**Deliverables:** The contractor shall research and procure space for five one-day public meetings. The contractor shall provide onsite logistical support. The contractor shall provide one draft of the notes within 10 days of the meeting and one final version of the notes within 10 days of EPA's review for each meeting. Within 10 days of the last public meeting, the contractor shall provide a draft summary report of all public meetings and a final version of the summary within 10 days of EPA's review.

## 7. DELIVERABLES REQUIRED AND SCHEDULE FOR COMPLETION OF TASKS

Task	Item Require	Due Date	Number of Copies and Format Requirements
1	Schedule of tasks to be completed	Within 10 business days of the kick-off meeting	1 copy - Word Format or PDF
2	First compendium draft	July 15, 2019	1 copy – Word Format or PDF
	Second compendium draft	August 15, 2019	1 copy – Word Format or PDF
	Final compendium	October 15, 2019	1 copy – Word Format 1 copy – 508-compliant PDF 1 copy – hard copy, bound
3	Procurement of 5 meeting spaces	July 26, 2019	N/A
	Onsite logistical support for 5 meetings	On day of meeting	N/A
	First draft of meeting notes	Within 10 days of public meeting	1 copy – Word Format or PDF
	Final version of meeting notes	Within 10 days of EPA review	1 copy – Word Format 1 copy – 508-compliant PDF

The contractor shall notify the CO and EPA WACOR in writing when 75% of the authorized work assignment LOE/labor hours and cost have been expended.

**8. CONTRACT SOW REFERENCE**

Task 3.9 “Support for Meetings, Workshops, Conferences, and Webcasts”, Page 15 of 28  
Task 8.0 “Data Collection”, Pages 23 and 24 of 28

**9. ANTICIPATED TRAVEL REQUIREMENTS**

All non-local travel shall be approved in advance by the EPA WACOR and Contract-Level Contracting Officer’s Representative (CL-COR) and shall be in accordance with the Contract. EPA anticipates 1 support staff to travel to five locations for onsite support at the public meetings described under Task 3.

**10. ADDITIONAL REQUIREMENTS:**

Other direct costs (ODCs) that are allowable, allocable, and reasonable are allowed.

Upon issuance of written technical direction, the contractor shall submit for inspection of all work in progress at any time under this work assignment. The contractor shall develop and maintain files supporting each task.

The contractor shall contact the EPA WACOR and/or the CL-COR by telephone to discuss any problems that may adversely affect the work on this work assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the EPA WACOR and the CL-COR.

**11. CONTRACTOR IDENTIFICATION**

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

**12. CONTROL REQUIREMENTS**

**1. Performance Requirements and Measurable Standards:**

This WA will be evaluated in accordance with the Quality Assurance Surveillance Plan in the contract award document.

**2. Enforcement Sensitive Information:**

The contractor recognizes that contractor employees in performing tasks specified by this work assignment may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without EPA approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or WA, or with access to materials developed pursuant to such efforts, understand that this information is confidential, and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

3. Project Employee Confidentiality Agreement

The contractor agrees that the contractor employee shall not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under this contract, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA WACOR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of the contract.

4. Conference/Meeting Guidelines and Limitations

The contractor shall immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

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Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:		LOE: 380						
07/01/2016 To 06/30/2021										
This Action:				1,070						
Total:				1,450						
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee				LOE:		
Cumulative Approved:				Cost/Fee				LOE:		
Work Assignment Manager Name Tara Johnson							Branch/Mail Code:			
_____ (Signature)                      (Date)							Phone Number: 202-564-6186			
							FAX Number:			
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Contracting Official Name Tammy Adams							Branch/Mail Code:			
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							FAX Number:			

**PERFORMANCE WORK STATEMENT (PWS)**

**CONTRACT NO. EP-C-16-003**

**WA No. 3-65**

**Amendment 000001**

**Anticipated Level of Effort (LOE) for this amendment: 1070 hours**

1. **TITLE:** Support for the Environmental Financial Advisory Board (EFAB) Stormwater Infrastructure Finance Workgroup
2. **PERIOD OF PERFORMANCE:** Date of Issuance – June 30, 2020
3. **EPA WORK ASSIGNMENT CONTRACTING OFFICER’S REPRESENTATIVE (WACOR):**

<b>Tara M. Johnson</b> <b>Phone:</b> 202-564-6186 <b>Fax:</b> 202-501-2346 johnson.tara@epa.gov	<b><u>USPS Mailing Address</u></b> 1200 Pennsylvania Ave NW (MC 4204M) Washington, DC 20460	<b><u>Courier Address</u></b> 1201 Constitution Ave NW Washington, DC 20004
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**EPA ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER’S REPRESENTATIVE (ALTERNATE WACOR):**

<b>Sonia Brubaker</b> <b>Phone:</b> 202-564-0120 <b>Fax:</b> 202-501-2346 brubaker.sonia@epa.gov	1200 Pennsylvania Ave NW (MC 4204M) Washington, DC 20460	1201 Constitution Ave NW Washington, DC 20004
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The Work Assignment is amended to add additional tasks as follows:

**Task 4: Support for Development of Workgroup Report**

During the course of the workgroup’s effort, it was determined that the workgroup would need additional support in the development of its report. This support falls under two categories: research and writing.

**Task 4.a: Research for AWIA, Section 4101, Areas 2 and 3**

The contractor shall support the workgroup in development of areas 2 and 3 of its report through research on impacts of the funding/financing source on infrastructure affordability and if the identified sources under Area 1 are sufficient to meet stormwater infrastructure needs. The contractor shall participate in workgroup calls (estimated 4 calls biweekly) to ensure research needs of the workgroup are being met and to answer

questions about the research from workgroup members. The contractor shall take notes during the call to be provided to the EPA WACOR. This research will be used to support the written portion of the report (Task 4.b).

#### **Task 4.b: Writing Support for AWIA, Section 4101, Areas 1, 2, and 3**

The contractor shall support the workgroup in writing portions of the report under the introduction and Areas 1, 2, and 3. This narrative writing will build off notes taken from the first workgroup meeting and research completed under Tasks 1 and 4.a. The narrative shall have a consistent look and feel and be reviewed thoroughly prior to submission to EPA WACOR for grammar, spelling, and formatting. The final narrative will reflect all comments from EPA as well as those compiled from the workgroup.

**Deliverables:** The contractor shall participate in up to 4 conference calls biweekly with the workgroup and provide summary notes to the EPA WACOR. The contractor shall provide documentation of research results to the EPA WACOR. The contractor shall prepare and provide written narrative to support the development of the report, providing no less than two drafts and one final version.

#### **Task 5: Support for Development of EPA Report**

The contractor shall provide support to develop and finalize EPA's report in response to the workgroup's report. This support may include writing narrative portions, providing summaries of the workgroup's report, and formatting the report. The contractor shall not draft any portion of the Agency's response but may include narrative provided by the EPA WACOR as part of the report formatting. The report shall have a consistent look and feel and be reviewed thoroughly prior to submission to EPA WACOR for grammar, spelling, and formatting. The final report will reflect all comments from EPA.

**Deliverables:** The contractor shall prepare and provide at least one draft of the report and one final version. The final version of the report from the contractor shall be 508-compliant. The contractor shall also provide one physical bound copy of the report to EPA.

#### **Task 6: Affordability Analysis**

The contractor shall analyze areas pertaining to water sector affordability issues which may include research and product development. These areas shall include but are not limited to utility assistance programs, private sector programs, and previous affordability studies, methodologies, metrics, and data. The contractor shall provide a comprehensive listing of the research results in the formatting requested by the EPA WACOR.

The contractor shall use this research and additional information developed and provided by EPA to draft, update, and finalize products related to affordability. For planning purposes, the contractor shall anticipate drafting and finalizing a concise summary of background information and trends and drafting/updating and finalizing a document of approximately 20-pages on affordability. The document shall be formatted as requested by the EPA WACOR. The contractor shall format these products and provide drafts and finals per technical direction from the EPA WACOR.

The contractor shall not begin work under this task until technical direction is provided by the EPA WACOR.

**Deliverables:** The contractor shall provide research documentation to the EPA WACOR. The contractor shall prepare and provide a background summary and brief report. At least one draft and one final version of the summary and three drafts and one final version of the report shall be provided to the EPA WACOR. The final version of the document from the contractor shall be 508-compliant. The contractor shall also provide one physical bound copy of the report to EPA.

#### **DELIVERABLES REQUIRED AND SCHEDULE FOR COMPLETION OF TASKS**

<b>TASK</b>	<b>ITEM REQUIRED</b>	<b>DUE DATE</b>	<b>NUMBER OF COPIES AND FORMAT REQUIREMENTS</b>
Task 4.a	Call Notes	4x biweekly through April 2020	1 copy – Word Format
	Research documentation	Once monthly	1 copy – format to be determined (TBD) upon discussion with EPA WACOR
Task 4.b	Draft narrative	No later than October 2019	1 copy – Word Format
	Second draft narrative	No later than December 2019	1 copy – Word Format
	Final narrative	No later than February 2020	1 copy – Word Format or PDF
Task 5	Draft report	No later than February 2020	1 copy – Word Format
	Final report	No later than March 2020	1 copy – Word Format 1 copy – 508-compliant PDF 1 copy – hard copy, bound
Task 6	Research documentation	No later than November 2019	1 copy – format TBD upon discussion with EPA WACOR
	Draft summary	No later than January 2020	1 copy – Word Format
	Final summary	No later than February 2020	1 copy – Word Format and PDF
	Draft document #1	No later than March 2020	1 copy – Word Format



	Draft document #2	No later than April 2020	1 copy – Word Format
	Draft document #3	No later than May 2020	1 copy – Word Format
	Final document	No later than June 2020	1 copy – Word Format 1 copy – 508-compliant PDF 1 copy – hard copy, bound

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>						Work Assignment Number 3-66				
						<input type="checkbox"/> Other <input type="checkbox"/> Amendment Number:				
Contract Number EP-C-16-003			Contract Period 07/01/2016 To 06/30/2021 Base                      Option Period Number    3			Title of Work Assignment/SF Site Name WEFTEC 2019				
Contractor EASTERN RESEARCH GROUP, INC.					Specify Section and paragraph of Contract SOW Task 3.7 Information Management Task 3.7.9					
Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval					Period of Performance  From 07/01/2019 To 01/31/2020					
Comments: Work shall not start and cost cannot incur until July 1, 2019. On July 1, 2019, and in accordance with clause B.2 of the contract, immediate start is hereby approved for this work assignment. If the work plan is not approved within 30 calendar days after receipt of the work plan, the contractor shall stop work.										
<input type="checkbox"/> Superfund					Accounting and Appropriations Data					<input checked="" type="checkbox"/> Non-Superfund
Note: To report additional accounting and appropriations data use EPA Form 1900-69A.										
SFO <input type="checkbox"/> (Max 2)										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:		LOE:						
07/01/2016 To 06/30/2021				0						
This Action:				124						
Total:				124						
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name    Tara Johnson  <div style="display: flex; justify-content: space-between;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>						Branch/Mail Code: Phone Number: 202-564-6186 FAX Number:				
Project Officer Name    Tangela Cooper  <div style="display: flex; justify-content: space-between;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>						Branch/Mail Code: Phone Number: 202-566-0369 FAX Number:				
Other Agency Official Name  <div style="display: flex; justify-content: space-between;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>						Branch/Mail Code: Phone Number: FAX Number:				
Contracting Official Name    Tammy Adams  <div style="display: flex; justify-content: space-between;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>						Branch/Mail Code: Phone Number: 513-487-2030 FAX Number:				

**PERFORMANCE WORK STATEMENT (PWS)**

**CONTRACT NO. EP-C-16-003**

**WA No. 3-66**

**Anticipated Level of Effort (LOE): 124 Hours**

1. **TITLE:** Support for the EPA Exhibit at the Water Environment Federation's WEFTEC Conference & Exposition 2019
2. **PERIOD OF PERFORMANCE:** July 1, 2019 – January 31, 2020
3. **EPA WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):**

<b>Tara M. Johnson</b> <b>Phone:</b> 202-564-6186 <b>Fax:</b> 202-501-2346 johnson.tara@epa.gov	<b><u>USPS Mailing Address</u></b> 1200 Pennsylvania Ave NW (MC 4204M) Washington, DC 20460	<b><u>Courier Address</u></b> 1201 Constitution Ave NW Washington, DC 20004
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**EPA ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (ALTERNATE WACOR):**

<b>Susanna Bains</b> <b>Phone:</b> 202-564-2047 <b>Fax:</b> 202-501-2396 bains.susanna@epa.gov	1200 Pennsylvania Ave NW (MC 4204M) Washington, DC 20460	1201 Constitution Ave NW Washington, DC 20004
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4. **BACKGROUND**

Water Environmental Federation Technical Exhibition Conference (WEFTEC), the Water Environment Federation's annual conference, is the premier national conference for the water and wastewater industry. Last year, WEFTEC attracted 20,740 participants representing federal, state, local and private entities. WEFTEC is a venue for EPA to network and share information, including research findings, with the water industry. WEFTEC 2019 will be held in Chicago, Illinois on September 21 – 25, 2019.

EPA's Office of Wastewater Management (OWM), Office of Wetlands, Oceans, and Watersheds (OWOW), Office of Science and Technology (OST), Office of Research and Development (ORD), Office of Ground Water and Drinking Water (OGWDW), EPA Regions, and other offices participate in this conference. EPA's participation in this national conference requires contractor assistance for pre-event, onsite, and post-event support.

## **5. PURPOSE AND OBJECTIVE**

During the period of performance, the contractor shall support the various activities associated with exhibiting and participating in WEFTEC 2019 at McCormick Place in Chicago, IL from September 21 – 25, 2019. The work performed under this work assignment is similar in nature and scope to the support provided under WAs 1-66 and 2-66 for this contract.

## **6. SCOPE OF WORK**

### **TASK 0: WORK ASSIGNMENT MANAGEMENT**

The contractor shall routinely provide performance updates, estimated costs, level of effort (LOE), and key deliverables upon request from EPA's Work Assignment Contracting Officer's Representative (WACOR) and/or Alternative WACOR for all ongoing tasks. Regularly scheduled conference calls and in-person meetings, as needed, will be coordinated between EPA's WACOR and the contractor to discuss the work assignment and progress of tasks. In addition, the contractor shall provide a monthly progress report that includes implementation plan(s), issues encountered and lessons learned regarding the progress of all tasks, the tracking of expenditures, and any other administrative activities, as requested.

**Deliverables:** The contractor shall provide a monthly progress report that will include the status of the implementation plan and issues encountered. The contractor shall report all expenditures and provide any relevant invoices as available. The contractor shall maintain a cumulative list of all technical directives. The contractor shall report in accordance with Contract Reporting Requirements.

### **TASK 1: HOLD KICK-OFF MEETING**

Within 10 business days following work assignment period of performance start date, the contractor shall meet or hold a conference call with the EPA WACOR to discuss the details and schedule of completion of tasks and their deliverables. At the meeting, the EPA WACOR will clarify all task details as well as the schedule of deliverables with the contractor. The contractor shall submit a schedule of tasks to be completed and submission of deliverables to the EPA WACOR for review and approval. This meeting is intended to ensure full understanding of the order and to ensure a full understanding of roles and expectations.

**Deliverables:** The contractor shall provide to the EPA WACOR a schedule of tasks to be completed within 10 business days of the kick-off meeting.

### **TASK 2: ARRANGEMENTS FOR GOODS AND SERVICES TO SUPPORT EPA EXHIBIT**

The contractor shall provide all onsite rentals before "order discount deadline" expiration. These rental items are specified in the below list and include furniture (e.g. tables and chairs), electrical service, audio/visual equipment, computers and monitors, and phone and data transmission lines. The contractor shall also provide labor to set up and dismantle the booth.

Quantity Items required:

- Seven (7) internet connections
- One (1) Hub rental for computer lines
- Five (5) Desktop Computers – 1 for each kiosk
- Twelve (12) Stools
- Ten (10) Chairs
- One (1) 6 ft. x 30 in. draped blue tables and draped fourth side
- Three (3) Lead Retrieval Devices
- One (1) wireless microphone with speakers (small audio package)
- Seven (7) Electrical Connections (15amp, 110/120-volt, 2000 watt)
- Two (2) 25-foot extension cords
- Five (5) 50-foot extension cords
- One (1) 6/5 Flat 15-foot cable
- Shipping materials to protect carpet for post-show shipment
- Drayage for approximately 6,000 lbs of freight
- Two (2) Days of installation labor for all services listed above based on previous experience (not weekend work)
- One and one-half (1.5) Days of dismantle labor for all services listed above (not weekend work)
- Supervision of Booth installation and dismantling from a company familiar with the booth
- One (1) pop-up poster to display schedule for Speaker Series at booth
- One (1) replacement tower panel banner with the Administrator Wheeler quote
- Liability insurance as required by McCormick Place

**Deliverables:** The contractor shall provide copies of the order sheets by September 20, 2019 for the items listed above to confirm necessary items have been ordered and should be available onsite.

### **TASK 3: DELIVERY OF EPA EXHIBIT**

The contractor shall ship approximately 6,000 lbs of exhibit crates and handout materials (skid mounted), from the EPA's Blue Ash, Ohio warehouse to McCormick Place in Chicago, IL and at the end of the show shipping ship back to EPA's Blue Ash, Ohio warehouse.

These items all reside in or will be shipped from EPA's Blue Ash, Ohio warehouse in advance of the shipment date. The contractor shall provide EPA's warehouse with proper shipping labels and a bill of lading for the release of the crates and document skids.

**Deliverables:** The contractor shall provide shipping labels and bill of lading by October 18, 2019.

#### **Task 4: ONSITE SUPPORT**

The contractor shall provide one employee to provide onsite support to the EPA exhibit; supervise assembly and disassembly of the exhibit; maintain documentation; troubleshoot; and interact with EPA coordinators. The contractor employee shall not represent himself or herself as an EPA employee and shall clearly identify himself or herself as a government contractor.

**Deliverables:** The contractor shall supervise assembly of display units and maintain their operation for the entire length of the WEFTEC conference and supervise disassembly of units post-show.

#### **7. DELIVERABLES REQUIRED AND SCHEDULE FOR COMPLETION OF TASKS**

**No work on this work assignment shall begin until the contractor receives notification of EPA Form 5170 approval for WEFTEC 2019.**

<b>Task</b>	<b>Item Require</b>	<b>Due Date</b>	<b>Number of Copies and Format Requirements</b>
0	Monthly progress report	Last week day of each month	1 copy - Word Format or PDF
1	Schedule of tasks to be completed	Within 10 business days of the kick-off meeting	1 copy - Word Format or PDF
2	Copies of the order sheets	No later than September 21, 2019	1 copy of each - PDF
3	Shipping labels and bill of lading	No later than October 19, 2019	1 copy of each - PDF

The Contractor shall notify the CO and EPA WACOR in writing when 75% of the authorized work assignment LOE/labor hours and cost have been expended.

#### **8. CONTRACT PWS REFERENCE**

Task 3.7 "Information Management", Page 14 of 28, Task 3.7.9: The contractor shall provide outreach support in coordinating logistics, site selection, and site reservation for EPA sponsored award programs, public hearings, workshops, conferences, and meetings related to regulatory and program development.

#### **9. ANTICIPATED TRAVEL REQUIREMENTS**

All non-local travel shall be approved in advance by the Contract-Level Contracting Officer's Representative (CL-COR) and shall be in accordance with the Contract. EPA anticipates 1 onsite support staff to travel to and from Chicago, IL for pre-show assembly, support during the show, and post-show breakdown.

## **10. ADDITIONAL REQUIREMENTS:**

Office direct costs (ODCs) for copying, postage/courier, supplies, computer usage, and graphics are allowed.

Upon issuance of written technical direction, the Contractor shall submit for inspection of all work in progress at any time under this work assignment. The Contractor shall develop and maintain files supporting each task.

The contractor shall contact the WACOR and/or the CL-COR by telephone to discuss any problems that may adversely affect the work on this Work Assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the WACOR and CL-COR.

## **11. CONTRACTOR IDENTIFICATION**

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

## **12. CONTROL REQUIREMENTS**

### **1. Performance Requirements and Measurable Standards:**

This WA will be evaluated in accordance with the Quality Assurance Surveillance Plan in the contract award document.

### **2. Enforcement Sensitive Information:**

The contractor recognizes that contractor employees in performing tasks specified by this WA may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without Environmental Protection Agency (EPA) approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or WA, or with access to materials developed pursuant to such efforts, understand that this information is confidential and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

3. Project Employee Confidentiality Agreement

The contractor agrees that the contractor employee shall not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under this contract, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA WACOR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of the contract.

4. Conference/Meeting Guidelines and Limitations

The contractor shall immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.



<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>						Work Assignment Number 3-66				
						<input type="checkbox"/> Other <input checked="" type="checkbox"/> Amendment Number: 000001				
Contract Number EP-C-16-003			Contract Period   07/01/2016   To   06/30/2021 Base                      Option Period Number       3			Title of Work Assignment/SF Site Name WEFTEC 2019				
Contractor EASTERN RESEARCH GROUP, INC.					Specify Section and paragraph of Contract SOW					
Purpose: <input type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input checked="" type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval						Period of Performance  From   11/06/2019   To   01/31/2020				
Comments: ERG and its subcontractor <span style="border: 1px solid black; padding: 0 2px;">(b)(4)</span> anticipates completing the WA within the approved cost budget. However, due to additional labor hours being expended during the conference and to support post conference reporting activities, it is anticipated that there will be a need for 15 additional hours at no additional cost.										
<input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund										
SFO <span style="border: 1px solid black; padding: 0 2px;">  </span> Note: To report additional accounting and appropriations date use EPA Form 1900-69A.										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:				LOE: 124				
07/01/2016 To 06/30/2021										
This Action:						15				
Total:						139				
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name   Tara Johnson						Branch/Mail Code:				
<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"><span>(Signature)</span><span>(Date)</span></div>						Phone Number: 202-564-6186				
						FAX Number:				
Project Officer Name   Tangela Cooper						Branch/Mail Code:				
<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"><span>(Signature)</span><span>(Date)</span></div>						Phone Number: 202-566-0369				
						FAX Number:				
Other Agency Official Name						Branch/Mail Code:				
<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"><span>(Signature)</span><span>(Date)</span></div>						Phone Number:				
						FAX Number:				
Contracting Official Name   Tammy Adams						Branch/Mail Code:				
<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"><span>(Signature)</span><span>(Date)</span></div>						Phone Number: 513-487-2030				
						FAX Number:				

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>						Work Assignment Number 3-66				
						<input type="checkbox"/> Other <input checked="" type="checkbox"/> Amendment Number: 000002				
Contract Number EP-C-16-003			Contract Period 07/01/2016 To 06/30/2021 Base                      Option Period Number    3			Title of Work Assignment/SF Site Name WEFTEC 2019				
Contractor EASTERN RESEARCH GROUP, INC.					Specify Section and paragraph of Contract SOW See PWS					
Purpose: <input type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input checked="" type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval					Period of Performance  From 01/31/2020 To 01/31/2020					
Comments: Amendment 000002 closes out this Work Assignment as all work has been completed and deliverables received.										
<input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund										
SFO <input type="checkbox"/> (Max 2)                      Note: To report additional accounting and appropriations data use EPA Form 1900-69A.										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:				LOE: 139				
07/01/2016 To 06/30/2021										
This Action:						0				
Total:						139				
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name    Tara Johnson						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 202-564-6186				
						FAX Number:				
Project Officer Name    Tangela Cooper						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 202-566-0369				
						FAX Number:				
Other Agency Official Name						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number:				
						FAX Number:				
Contracting Official Name    Tammy Adams						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 513-487-2030				
						FAX Number:				

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>						Work Assignment Number 3-67				
						<input type="checkbox"/> Other <input type="checkbox"/> Amendment Number:				
Contract Number EP-C-16-003			Contract Period   07/01/2016   To   06/30/2021 Base                      Option Period Number      3			Title of Work Assignment/SF Site Name Region 9 Technical Support				
Contractor EASTERN RESEARCH GROUP, INC.					Specify Section and paragraph of Contract SOW See PWS					
Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval						Period of Performance  From   07/01/2019   To   06/30/2020				
Comments: Work shall not start and cost cannot incur until July 1, 2019. On July 1, 2019, and in accordance with clause B.2 of the contract, immediate start is hereby approved for this work assignment. If the work plan is not approved within 30 calendar days after receipt of the work plan, the contractor shall stop work.										
<input type="checkbox"/> Superfund						Accounting and Appropriations Data				<input checked="" type="checkbox"/> Non-Superfund
Note: To report additional accounting and appropriations data use EPA Form 1900-69A.										
SFO <input type="checkbox"/> (Max 2)										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:		LOE:						
07/01/2016 To 06/30/2021				0						
This Action:				111						
Total:				111						
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name   Peter Kozelka  <div style="display: flex; justify-content: space-between;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>						Branch/Mail Code: Phone Number: 415-972-3448 FAX Number:				
Project Officer Name   Tangela Cooper  <div style="display: flex; justify-content: space-between;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>						Branch/Mail Code: Phone Number: 202-566-0369 FAX Number:				
Other Agency Official Name  <div style="display: flex; justify-content: space-between;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>						Branch/Mail Code: Phone Number: FAX Number:				
Contracting Official Name   Tammy Adams  <div style="display: flex; justify-content: space-between;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>						Branch/Mail Code: Phone Number: 513-487-2030 FAX Number:				

**PERFORMANCE WORK STATEMENT  
CONTRACT EP-C-16-003  
WORK ASSIGNMENT 3-67 (Option year 3)  
Anticipated Level of Effort (LOE): 111 hours**

**TITLE:** Technical Support for California NPDES Program

**Completion of Task A – evaluation of State’s existing National Pollutant Discharge Elimination System (NPDES) Quality Assurance Program Plan and contractor’s recommendations for implementation by State NPDES staff = PARTIALLY COMPLETED IN OPTION YEAR 2 OF WA 2-67 OF THIS CONTRACT, MORE CONTRACTOR SUPPORT IS NEEDED IN OPTION YEAR 3**

**PERIOD OF PERFORMANCE:** 07/01/2019 through 06/30/2020

**WORK ASSIGNMENT CONTRACTING OFFICER’S REPRESENTATIVE (WACOR):**

Peter Kozelka  
EPA Region 9  
75 Hawthorne St. Mail Code: WTR 2-3  
San Francisco, CA 94105  
(415) 972-3448  
[kozelka.peter@epa.gov](mailto:kozelka.peter@epa.gov)

**ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER’S REPRESENTATIVE (AWACOR):**

Pascal Mues  
EPA Region 9  
75 Hawthorne St. code: WTR 2-3  
San Francisco, CA 94105  
(415) 972-3768  
[mues.pascal@epa.gov](mailto:mues.pascal@epa.gov)

**BACKGROUND:** The Clean Water Act (CWA) authorized efforts to restore and maintain the Nation's waters, including Section 402 of the Act specifically created of the NPDES permit program to regulate and reduce the point source pollution. Point sources must obtain a discharge permit from the proper authority, including states, tribes, and territories. Environmental Protection Agency (EPA) Regions are responsible for implementing the NPDES permit program in non-delegated States and for federal and tribal dischargers in authorized States. The State of California is authorized to operate the NPDES program through the State Water Resources Control Board (SWRCB) and nine Regional Water Boards.

EPA Region 9 has historically provided contractor support to assist California's NPDES permit program. EPA Region 9 has also previously provided technical support to facilitate permit development and issuance in California, including pretreatment inspections, program reviews, permit writing, training and specialized technical assistance to ensure protection of receiving water quality. Here, EPA is requesting continued contractor support for development and finalization of recommendations for Quality Assurance Program Plan for California's NPDES program.

**PURPOSE AND OBJECTIVE:** The contractor shall, in consultation with EPA and State, provide technical support of California's NPDES permit program for one task – recommendations for State's NPDES Quality Assurance Program Plan.

EPA may also task the contractor to provide specialized technical assistance on various NPDES permit topics or aspects of NPDES program. The work to be performed may include providing technical and policy evaluations for specific NPDES permits or for issues that are relevant to NPDES permits.

**ASSUMPTIONS AND CONSTRAINTS:** For this task, the contractor shall possess and exercise a comprehensive understanding of the Clean Water Act, the Porter-Cologne Act, and all other relevant federal and state water protection laws; the skills and tools necessary to complete NPDES permits, conduct pretreatment audits, inspections, and programmatic reviews, and a thorough appreciation of California's regulatory programs and practices in Clean Water Act – NPDES permitting.

*The contractor is authorized to contact the SWRCB and Regional Water Boards directly to obtain additional information but shall copy EPA on all information requests and document all requests and responses for EPA. The contractor shall inform the WACOR of any such information requirements. The contractor shall only follow technical direction received from the WACOR.*

## **SCOPE OF WORK:**

**Task A: CONTRACTOR SUPPORT IS NEEDED TO DEVELOP DRAFT AND FINAL MEMO WHICH WAS PARTIALLY COMPLETED IN OPTION YEAR 2 AS STATED ABOVE.**

### **Implementation of California's NPDES Quality Assurance Program Plan (QAPrP)**

The contractor shall continue to provide technical support to State Board by evaluating the State's NPDES QAPrP (2017) and provide recommendations to improve State NPDES program capacity and staff with future NPDES permit development and related standard operating procedures. The contractor shall assist State in consideration of the following elements:

- i. Determine how to satisfy NPDES QA Program Plan elements in NPDES permits by developing the following:
  - Permit requirements for QA and documentation
  - Defining terminology and data quality standards
  - Making program procedures, tools, checklist, and forms
  - Offering guidance and training for staff and dischargers
  - Other means identified during the process
- ii. Determine where gaps exist in administering a complete QA system within the NPDES Program and develop appropriate solutions.
- iii. Use screening activities to identify where data problems are occurring and develop appropriate solutions.
- iv. Develop data quality objectives that establish performance and acceptance criteria to serve as the basis for planning the collection of data of sufficient quality and quantity.
- v. Determine the field of data needed for entry into California Integrated Water Quality System (CIWQS) to generate analyses and assessment of data quality.

The deliverable shall be a draft and final technical memo containing the contractor's recommendations for implementing the QAPrP in State's NPDES program. The contractor shall provide draft technical memo to the WACOR, State Board, and Regional Water Board staff for comments and suggested improvements. The contractor shall incorporate edits, modifications and recommendations on the draft memo provided by the WACOR, State Board, and Regional Water Board staff into the final technical memo.

**Task G deliverables and due dates:**

Task	Deliverable	Distribution	Due Dates
A.1	Kickoff Meeting	WACOR, EPA technical representative, State Board technical representative(s), Regional Water Board technical representative(s)	Within 2 weeks of July 1, 2019
A.2	Kickoff Meeting Summary		Within 3 weeks of July 1, 2019
A.3	Draft technical memo	WACOR, EPA technical representative, State Board technical representative(s), Water Board technical representatives	As scheduled with EPA and State staff
A.4	Final technical memo	WACOR, EPA technical representative, State Board technical representative(s), Water Board technical representatives	As scheduled with EPA and State staff (final memo shall be provided no later than June 30, 2020)

No travel is anticipated by contractor for completion of this task.

The Contractor shall notify the CO and WACOR in writing when 75% of the authorized work assignment LOE/labor hours and cost have been expended.

#### Additional Requirements

Office direct costs (ODCs) for copying, postage/courier, supplies, computer usage, and graphics are allowed.

Upon issuance of written technical direction, the Contractor shall submit for inspection of all work in progress at any time under this work assignment. The Contractor shall develop and maintain files supporting each task.

The contractor shall contact the WACOR by telephone to discuss any problems that may adversely affect the work on this Work Assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the WACOR and CL-COR.

#### Contractor Identification

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

#### Quality Assurance Project Plan (QAPP)

This task does not need a QAPP since no environmental data are being generated, evaluated or published on websites. This task requires a technical memo on State's Quality Assurance Program plan for NPDES program; thus, QAPP does not apply.

#### Enforcement Sensitive Information

The contractor recognizes that contractor employees in performing tasks specified in the PWS may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without EPA approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or work assignment, or with access to materials developed pursuant to such efforts, understand that this information is confidential, and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

#### Project Employee Confidentiality Agreement

The contractor agrees that the contractor employee shall not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under the work described in the PWS, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA WACOR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance

notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of all work described in the PWS.

Conferences and Workshops:

The tasks under this work assignment is not expected to require the acquisition of “off-site” facilities for conference(s) and meetings as defined in the IPN 12-05. Any events associated with conferences or workshops are covered by EPA Order 1900.3 and would require an EPA Form 5170.

The contractor shall immediately alert the WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

Performance Requirements and Measurable Standards:

This WA will be evaluated in accordance with the Quality Assurance Surveillance Plan in the contract award document.



<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>		Work Assignment Number 3-67								
		<input type="checkbox"/> Other <input checked="" type="checkbox"/> Amendment Number: 000001								
Contract Number EP-C-16-003	Contract Period 07/01/2016 To 06/30/2021 Base                      Option Period Number    3	Title of Work Assignment/SF Site Name Region 9 Technical Support								
Contractor EASTERN RESEARCH GROUP, INC.		Specify Section and paragraph of Contract SOW See PWS								
Purpose: <input type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input checked="" type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval		Period of Performance  From 03/18/2020 To 06/30/2020								
Comments: Amendment 000001 adds new Task B. The WA ceiling remains at \$12,328.00. A revised work plan/cost estimate is required.										
<div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Superfund         <span>Accounting and Appropriations Data</span> <input checked="" type="checkbox"/> Non-Superfund       </div>										
Note: To report additional accounting and appropriations data use EPA Form 1900-69A.										
SFO <input type="checkbox"/> (Max 2)										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:				LOE: 111				
07/01/2016 To 06/30/2021										
This Action:						137				
Total:						248				
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name Peter Kozelka						Branch/Mail Code:				
<div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(Signature)</div> <div>(Date)</div> </div>						Phone Number: 415-972-3448				
						FAX Number:				
Project Officer Name Tangela Cooper						Branch/Mail Code:				
<div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(Signature)</div> <div>(Date)</div> </div>						Phone Number: 202-566-0369				
						FAX Number:				
Other Agency Official Name						Branch/Mail Code:				
<div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(Signature)</div> <div>(Date)</div> </div>						Phone Number:				
						FAX Number:				
Contracting Official Name Tammy Adams						Branch/Mail Code:				
<div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(Signature)</div> <div>(Date)</div> </div>						Phone Number: 513-487-2030				
						FAX Number:				

**PERFORMANCE WORK STATEMENT  
CONTRACT EP-C-16-003  
WORK ASSIGNMENT 3-67 (Option year 3)  
AMENDMENT 000001**

**TITLE:** Technical Support for California NPDES Program

**EPA is requesting additional contractor support for California's National Pollutant Discharge Elimination System (NPDES) program needs for Quality Assurance Program Plan implementation. Task B of this amendment is separate follow on work and separate deliverables and does not duplicate any work associated with existing Task A and its deliverables.**

**WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):**

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[mues.pascal@epa.gov](mailto:mues.pascal@epa.gov)

**PERIOD OF PERFORMANCE:** Date of Issuance through 06/30/2020

**Anticipated Level of Effort (LOE): 248 hours**

**BACKGROUND:** The Clean Water Act (CWA) authorized efforts to restore and maintain the Nation's waters, including Section 402 of the Act specifically created of the NPDES permit program to regulate and reduce the point source pollution. Point sources must obtain a discharge permit from the proper authority, including states, tribes, and territories. Environmental Protection Agency (EPA) Regions are responsible for implementing the NPDES permit program in non-delegated States and for federal and tribal dischargers in authorized States. The State of

California is authorized to operate the NPDES program through the State Water Resources Control Board (SWRCB) and nine Regional Water Boards.

EPA Region 9 has historically provided contractor support to assist California's NPDES permit program. EPA Region 9 has also previously provided technical support to facilitate permit development and issuance in California, including pretreatment inspections, program reviews, permit writing, training and specialized technical assistance to ensure protection of receiving water quality. Here, EPA is requesting continued contractor support for development and finalization of recommendations for Quality Assurance Program Plan for California's NPDES program.

**PURPOSE AND OBJECTIVE:** The contractor shall, in consultation with EPA and State, provide technical support of California's NPDES permit program for one task – recommendations for State's NPDES Quality Assurance Program Plan.

EPA may also task the contractor to provide specialized technical assistance on various NPDES permit topics or aspects of NPDES program. The work to be performed may include providing technical and policy evaluations for specific NPDES permits or for issues that are relevant to NPDES permits.

**ASSUMPTIONS AND CONSTRAINTS:** For this task, the contractor shall possess and exercise a comprehensive understanding of the Clean Water Act, the Porter-Cologne Act, and all other relevant federal and state water protection laws; the skills and tools necessary to complete NPDES permits, conduct pretreatment audits, inspections, and programmatic reviews, and a thorough appreciation of California's regulatory programs and practices in Clean Water Act – NPDES permitting.

*The contractor is authorized to contact the SWRCB and Regional Water Boards directly to obtain additional information but shall copy EPA on all information requests and document all requests and responses for EPA. The contractor shall inform the WACOR of any such information requirements. The contractor shall only follow technical direction received from the WACOR.*

## **SCOPE OF WORK:**

AMENDMENT 000001 = Task B

This Performance Work Statement establishes activities described in the new task below, to be conducted by the Contractor in FY20.

EPA is also requesting additional contractor support for the California NPDES Quality Assurance Program Plan (QAPRP) Implementation.

Task B. The contractor shall provide support to EPA NPDES and California NPDES program for QAPRP implementation. Below are sub-tasks to be accomplished as part of this amendment:

1. Develop proposed content for the State's NPDES Quality Assurance website;
2. Finalize the NPDES permit preparation and permit review checklists;
3. Develop proposed standardized effluent limitation units and averaging periods per State Implementation Plan for Toxic Pollutants in Inland waters (SIP) and California Ocean Plan (COP) standards for pollutants within California Toxics Rule and conventional pollutants for insertion into the two associated statewide permit templates. This will serve as a tool for permit writers to convert effluent limits to standardized units and averaging periods through permit reissuance and will support standard units in the California Integrated Water Quality System (CIWQS) database;
4. Develop a proposed tool for selecting sufficiently sensitive analytical methods to be identified in the Monitoring and Reporting Program;
5. Develop a Frequently Asked Questions document to respond to dischargers' common application questions;
6. Develop Quality Assurance training for State's NPDES program staff (this was not completed in prior WA 3-67 efforts).
7. Develop permit, Monitoring and Reporting Program, and Fact Sheet language for the two permit templates.

The deliverable shall be a draft and final technical memo for the Amendment related tasks containing the contractor's recommendations for the above sub-tasks. The contractor shall provide to EPA WACOR and California NPDES program staff:

- a. A draft technical memo to the WACOR, State Board, and Regional Water Board staff for comments and suggested improvements.
- b. A final memo after the contractor has incorporated edits, modifications and recommendations on the draft memo provided by the WACOR, State Board, and Regional Water Board staff.

**Task B deliverables and due dates:**

Task	Deliverable	Distribution	Due Dates
B.1	Kickoff Meeting	WACOR, EPA technical representative, State Board technical representative(s), Regional Water Board technical representative(s)	Within 2 weeks of contractor receipt of amended PWS.
B.2	Kickoff Meeting Summary		Within 3 weeks of receipt of amended PWS.
B.3	Amendment draft technical memo	WACOR, EPA technical representative, State Board technical representative(s), Water Board technical representatives	As scheduled with EPA and State staff no later than June 10, 2020.
B.4	Amendment final technical memo	WACOR, EPA technical representative, State Board technical representative(s), Water Board technical representatives	As scheduled with EPA and State staff (final deliverable shall be provided no later than June 30, 2020)

No travel is anticipated by contractor for completion of this task.

Additional RequirementsQuality Assurance Project Plan (QAPP)

This task does not need a QAPP since no environmental data are being generated, evaluated or published on websites. This task requires the contractor to deliver a technical memo on California's Quality Assurance Program plan for NPDES program; thus, QAPP does not apply.

Notification of Conflicts of Interest Regarding Personnel

The Contractor shall immediately notify the CL-COR and the Contracting Officer of (1) any actual or potential personal conflict of interest with regard to any of its employees working on or having access to information regarding this contract, or (2) any such conflicts concerning subcontractor employees or consultants working on or having access to information regarding the contract, when such conflicts have been reported to the Contractor. A personal conflict of interest is defined as a relationship of an employee, subcontractor employee, or consultant with an entity that may impair the objectivity of the employee, subcontractor employee, or consultant in performing the contract work. See Section H.4, contract clause EPAAR 1552.209-73 Notification of Conflict of Interest Regarding Personnel.

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>						Work Assignment Number 3-70				
						<input type="checkbox"/> Other <input type="checkbox"/> Amendment Number:				
Contract Number EP-C-16-003			Contract Period 07/01/2016 To 06/30/2021 Base                      Option Period Number    3			Title of Work Assignment/SF Site Name Technical Support for Region 9				
Contractor EASTERN RESEARCH GROUP, INC.					Specify Section and paragraph of Contract SOW See PWS					
Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval						Period of Performance  From 07/01/2019 To 06/30/2020				
Comments: Work shall not start and cost cannot incur until July 1, 2019. On July 1, 2019, and in accordance with clause B.2 of the contract, immediate start is hereby approved for this work assignment. If the work plan is not approved within 30 calendar days after receipt of the work plan, the contractor shall stop work.										
<input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund										
SFO <input type="checkbox"/> (Max 2)                      Note: To report additional accounting and appropriations date use EPA Form 1900-69A.										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:				LOE: 0				
07/01/2016 To 06/30/2021										
This Action:						1,029				
Total:						1,029				
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name Peter Kozelka						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 415-972-3448				
						FAX Number:				
Project Officer Name Tangela Cooper						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 202-566-0369				
						FAX Number:				
Other Agency Official Name						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number:				
						FAX Number:				
Contracting Official Name Tammy Adams						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 513-487-2030				
						FAX Number:				

**PERFORMANCE WORK STATEMENT (PWS)**  
**CONTRACT NO. EP-C-16-003**  
**Work Assignment 3-70**  
**Anticipated Level of Effort (LoE): 1,029 hours**

- I. TITLE: Technical Support for EPA Region 9 National Pollutant Discharge Elimination System (NPDES) program

**Task A: Develop (2) Biological Evaluations to fulfill Endangered Species Act (ESA) consultations for Municipal Separate Stormwater Sewer Systems (MS4) permits in Guam and Saipan**

**Task B: Develop and provide MS4 permit assistance to Guam permittee(s)**

**Task C. Develop and draft permits, identified by Region 9**

**Task D. Provide technical evaluations of food processors discharging to wastewater treatment plant permits for Region 9's permit quality review of California.**

**Task E. Provide training for stormwater permit writers, both State and Region 9 staff**

- II. PERIOD OF PERFORMANCE: 07/1/2019 through 06/30/2020

- III. EPA WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (EPA WACOR):

**Peter Kozelka**  
EPA Region 9  
NPDES Permits Office  
75 Hawthorne St. Mail Code: WTR 2-3  
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## IV. BACKGROUND

The Clean Water Act (CWA) authorized efforts to restore and maintain the Nation's waters, including Section 402 of the Act specifically created of the National Pollutant Discharge Elimination System (NPDES) permit program to regulate and reduce the point source pollution. Point sources must obtain a discharge permit from the proper authority, including states, tribes, and territories. EPA Regions are responsible for implementing the NPDES permit program in non-delegated States and for federal and tribal dischargers in authorized States. Region 9 has NPDES responsibilities for the Pacific Island territories, including Guam, Commonwealth of Northern Marianas Islands and American Samoa. Region 9 also issues NPDES permits on tribal lands within Arizona, California, Hawaii and Nevada. Region 9 performs oversight responsibilities for States with delegated NPDES programs, including Arizona, California, Hawaii and Nevada.

Under Clean Water Act ("CWA") section 402(p), 33 U.S.C. § 1342(p), the United States Environmental Protection Agency ("EPA") has established permitting requirements for certain storm water discharges. Stormwater discharges are commonly regulated by permits issued to municipal separate storm sewer systems (MS4s). EPA established such requirements in two phases: Phase I, 55 Fed. Reg. 47990 (Nov. 16, 1990); and Phase II, 64 Fed. Reg. 68,722 (Dec. 8, 1999).

The 1973 Endangered Species Act (ESA), 16 U.S.C. 1531 *et seq.*, was enacted to protect and conserve endangered and threatened species and critical habitat. The Fish and Wildlife Service (FWS) of the Department of the Interior and the National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce (collectively *the Services*) share primary responsibility for administration of the ESA. ESA section 7 requires that federal agencies consult with the Services to ensure that any action authorized, funded, or carried out by the agencies that could affect a listed species or critical habitat and to ensure that their actions are not likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of critical habitat of such species. The ESA section 7 regulations are in 50 CFR Part 402. The FWS maintains a worldwide list of endangered species. Species include birds, insects, fish, reptiles, mammals, crustaceans, flowers, grasses, and trees. When EPA issues NPDES permits, EPA is required to consult with the Services to ensure that the permitting action does not likely adversely impact the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of critical habitat of such species.

Consultation may be either informal or formal. An informal consultation in the form of a biological evaluation determines if an action is or is not likely to adversely affect the species. A formal consultation is required if the findings from the informal consultation show that there is a likelihood for adverse impacts and evaluates whether the proposed action is likely to jeopardize the continued existence of the species. In developing NPDES permits, EPA Region 9 is required to develop and submit Biological Evaluations (BE) to demonstrate that the permitting action is unlikely to cause adverse effects of the action on listed and proposed species and designated and

proposed critical habitat and demonstrates that any such species or habitat to the FWS/NMFS for review and approval. The Services review of the biological evaluation and the outcome of this informal consultation determine whether formal consultation or a conference is necessary. This documentation and any decisions from the FWS/NMFS would become part of the permit documentation. EPA must consider potential discharges of the permit and its effects on endangered and threatened species and their habitat in the area covered by the permit. The contractor shall provide technical support in the preparation of biological evaluations for upcoming NPDES permitting actions.

## V. PURPOSE AND OBJECTIVE

The contractor shall, in consultation with EPA, provide technical assistance with various tasks requested by EPA Region 9's NPDES program. As generally described below, Region 9 has three tasks associated with direct implementation of the NPDES permit program for federal and tribal dischargers. An additional task is associated with Region 9's role as federal oversight of California's NPDES program.

The contractor shall prepare biological evaluations that support Region 9 permitting actions. Biological evaluations shall contemplate topics related to ESA and essential fish habitat (EFH) consultations with FWS & NMFS related to these permits. Biological evaluations describing the various biological species potentially affected by permitted discharges are typically produced as part of these consultation processes.

Region 9 has recently issued two new MS4 permits in Guam – one for the Guam Department of Public Works (DPW) and the other for the Department of the Navy for military facilities on Guam. The permits and fact sheets can be found at: <https://www.epa.gov/npdes-permits/guam-npdes-permits>. Guam DPW has requested technical assistance on permit implementation from Region 9. The contractor shall provide assistance to outline and develop training materials for Guam MS4 permittees on the expectations of permit implementation and recommendations for addressing permit requirements.

The contractor shall provide permit writing support. This support shall include preparing draft and final NPDES permits, factsheets and administrative records for two individual permits. This may also include permit consultation on selected permit components to Region 9 staff. Permit language are designed to meet the needs of Region 9 and ensure compliance with the Clean Water Act and other applicable federal laws. The major focus of this task will prepare draft and final NPDES permits for review and issuance by Region 9.

Region 9 performs oversight responsibilities for States with delegated NPDES programs, including California. From time to time, Region 9 NPDES staff perform permit quality reviews (PQR) on a sub-set of State issued permits. The contractor shall coordinate with Region 9 to identify and complete reviews of food processors that discharge into wastewater treatment plants in California, using a checklist provided by Region 9.

Region 9 provides technical assistance to State managers and staff regarding NPDES permit topics and permit development. Several States have requested training from Region 9 for stormwater permit writers. The contractor shall coordinate with Region 9 to develop and complete stormwater permit writers training for State (likely Nevada and Arizona) and Region 9 staff. Contractor may utilize existing training materials or may need to develop training materials associated with specific State or Region 9 needs.

#### *ASSUMPTIONS AND CONSTRAINTS*

For these tasks, the contractor shall possess and exercise a comprehensive understanding of the Clean Water Act, all other relevant federal and (if appropriate) state, tribe or territory water protection laws and a thorough appreciation of EPA's regulatory programs and practices in Clean Water Act – NPDES permitting.

*The contractor, in coordinating with EPA WACOR, may directly contact the Services, Territory or Tribal agencies or specific facilities to obtain additional information but shall copy EPA on all information requests and document all requests and responses for EPA. The contractor shall inform the EPA WACOR of any such information requirements. The contractor shall only follow technical direction received from the EPA WACOR.*

## VI. SCOPE OF WORK

This PWS describes services required to support EPA Region 9 to carry out all tasks delineated below within the context of the existing or potential future NPDES permitting requirements of the Clean Water Act.

### **Task A: Develop (2) Biological Evaluations to fulfill ESA consultations for MS4 permits in Guam and Saipan**

Contractor shall prepare (2) biological evaluations that support Region 9 permitting actions. Biological evaluations shall contemplate topics related to ESA and essential fish habitat (EFH) consultations with FWS & NMFS related to these permits. Biological evaluations describing the various biological species potentially affected by permitted discharges are typically produced as part of these consultation processes. A general outline of BEs and additional information about BEs are provided in the Attachment 1. The contractor may conduct, update or revise any of the following tasks:

- ***Create Geographic Information System (GIS) Maps to Support the BE*** – This task will create a series of GIS maps of the action, action area, species locations, and critical habitats. Maps may include: general geography, land use, outfall locations, best management practice (BMP) locations, tribal land boundary, species locations, and critical habitat areas.
- ***Draft Description of Listed Species*** – This task will draft the text for Attachment 1, Section 3.0 that identifies the species in the action area, determines which species are

classified as no effect and provides a species-specific description of the status and distribution, life history, critical habitat, and presence within in the action area for the species under consultation for the BE.

- ***Draft Description of the Essential Fish Habitat Present in the Action Area*** – This task will draft the text describing the EFH in the action area. The text will include a list of species with an EFH in the action area, description of the location of EFH in the action area, a qualitative description of the effects of the action on each EFH, a description of how the action will affect major prey species and life history stages for each species.
- ***Draft Environmental Baseline Description*** – This task will draft the text for the environmental baseline description that includes the following: a description of the land use, habitats in the area, sedimentation, hydrology, and the condition of the threats to the species under consultation. This task will also download and summarize the background water quality data available for the waterbody(ies).
- ***Summarize the Effectiveness of Stormwater Management BMPs in Permit*** – This task will draft the text for the BMP effectiveness discussion in the BE.
- ***Draft Species Exposure Discussion*** – This task will draft the qualitative discussion of the likelihood species will come into contact with the discharge.
- ***Draft Discussion of Potential Stressors*** – This task will summarize any end-of-pipe stormwater monitoring data collected in the action area. This task will draft a discussion of the potential stressors to listed species from the action based on the monitoring data and pollutants typically found in stormwater.
- ***End-of-Pipe and Receiving Water Modeling Analysis*** – This task will model the estimated stormwater loads and concentrations at the end-of-pipe for each outfall and the system as a whole. This task will also model the estimated receiving water concentrations in the waterbody(ies) resulting from stormwater discharges. This task will prepare an appendix documenting the modeling methodology and results. This task will draft a discussion of the estimated changes to the environmental baseline from the action.
- ***Conduct the Species Response Analysis*** – This task will present a qualitative discussion of the effects of pollutants lacking specific concentration response on listed species. This task will identify species-specific effects thresholds for each pollutant. The task will compare the receiving water modeling results with effect thresholds to determine likelihood the action may affect listed species. The task will determine the final effect determination of the action for each species.
- ***Conclusion*** – This task will provide BE conclusions and supporting rationale.

The EPA WACOR will issue technical direction to the contractor regarding schedule of deliverables within Task A.

Total estimated level of effort for Task A and all sub-tasks therein is approximately **222** hrs. No travel is anticipated for all sub-tasks associated within Task A.

### **Task B: Develop and provide MS4 permit assistance to Guam permittees.**

Guam DPW has requested technical assistance with MS4 permit implementation. The contractor

shall provide assistance to outline and train permittees on the expectations of MS4 permit implementation and permit requirements. Here are some possible areas of assistance:

- Provide recommendations on compliance with permit requirements;
- Develop training materials for MS4 permittees;
- Outline low impact development concepts to reduce pollutant loads in stormwater runoff; and improve water quality in receiving waterbodies;
- Identify considerations and recommendations for incentivizing water reuse, including stormwater capture via permit implementation;
- Develop a communication outline/strategy for MS4 permittee(s);
- Provide technical drawings or figures related to stormwater runoff, controls or permit conditions or schedules;
- Assist EPA with site visits to evaluate site specific conditions/control measures to reduce stormwater pollutant loads or consider on-site stormwater capture.

The EPA WACOR will issue technical direction to the contractor prior to any work on deliverables within Task B.

Total estimated level of effort for Task B and all sub-tasks therein is approximately **134** hrs. The Contractor may assume one trip by one person to Guam to accomplish this task.

### **Task C. Develop and draft permits, identified by Region 9**

The contractor shall prepare (2) draft and final NPDES documents (Permits with associated Fact Sheets) and their respective administrative records, for each facility or standard assigned. The contractor shall prepare NPDES documents by using Region 9's permit and factsheet templates. The contractor shall obtain permit application and other related materials from Region 9. This support will include preparing individual permits, and, as needed, provide consultation on selected permit components to Region 9 staff. Draft documents will be submitted through the EPA WACOR and Technical Contact, to provide for appropriate EPA staff review and comment. Permit language shall meet the needs of Region 9 and ensure compliance with the Clean Water Act and other applicable federal laws.

The EPA WACOR will issue technical direction to the contractor regarding identification of permits assigned and schedule of deliverables within Task C.

Total estimated level of effort for Task C and all sub-tasks therein is approximately **406** hrs. No travel is anticipated for all sub-tasks associated within this task.

### **Task D. Provide technical evaluations of food processors discharge into wastewater treatment plant permits for Region 9's permit quality review of California.**

From time to time, Region 9 performs permit quality reviews (PQR) on a sub-set of State issued permits. The contractor shall coordinate with Region 9 to identify and complete reviews of a small set of wastewater treatment plants that receive influent from food processor companies. The contractor shall use food processor review checklists supplied by Region 9 for each review. Additionally, the contractor shall write up findings for each review using EPA Headquarters PQR report format. If appropriate, contractor shall prepare a separate memo to Region 9 regarding any issues encountered during the reviews that require EPA feedback for resolution prior to finalizing all reviews.

The EPA WACOR will issue technical direction to the contractor prior to any work on deliverables within Task D.

Total estimated level of effort for Task D and all sub-tasks therein is approximately **110 hrs**. No travel is anticipated for all sub-tasks associated within this task.

#### **Task E. Provide training for stormwater permit writers, both State and Region 9 staff**

As part of our partnership role with States, Region 9 provides technical assistance to State managers and staff regarding NPDES permit topics and permit development. Several States have requested training from Region 9 for stormwater permit writers. The contractor shall coordinate with Region 9 to develop and complete stormwater permit writers training for State (likely Nevada and Arizona) and Region 9 staff. The contractor may utilize existing training materials or may need to develop training materials associated with specific State or Region 9 needs. Region 9 prefers face-to-face training over webinar although this will be resolved in discussion with the contractor. If needed, Region 9 will help facilitate logistics for training location and supporting equipment, such as audio visual. The contractor shall provide draft training materials to Region 9 for review and comment prior to delivering the training, once.

The EPA WACOR will issue technical direction to the contractor prior to any work on deliverables within Task E.

Total estimated level of effort for Task E and all sub-tasks therein is approximately **157 hrs**. Travel for two people for one 3-day trip is anticipated for all sub-tasks associated within this task.

## **VII. DELIVERABLES REQUIRED AND SCHEDULE**

The contractor shall reflect a thorough understanding of national and State statutes, regulations, court rulings, policy and guidance. Final deliverables shall reflect all comments from EPA. The contractor shall provide quality assurance reporting as necessary and specifically identified in each technical directive issued by the EPA WACOR.

**Submission Requirements:** Draft documents will be submitted through the EPA WACOR and

Technical Contact, to provide for appropriate EPA staff review and comment. The contractor shall incorporate comments provided by Region 9 on draft and supporting documents or training materials.

Deliverables shall be sent by e-mail to the EPA WACOR with cc's to the EPA Technical Contact. Documents shall be in either .DOC or .PDF file formats (for text) and shall be accessible, functional and free from computer viruses or other technology problems.

#### **Deliverables and Schedule**

<b>TASK</b>	<b>DELIVERABLE</b>	<b>SCHEDULE</b>
<b>A</b>	Draft Biological Evaluations consistent with outline provided in Attachment 1	In accordance with schedule outlined in TD. However, no later than June 30, 2020.
<b>A</b>	Final Biological Evaluations, incorporating EPA comments	In accordance with schedule outlined in TD. However, no later than June 30, 2020.

**Task B** - The EPA WACOR will issue technical direction to the contractor prior to any work on deliverables within Task B.

<b>TASK</b>	<b>DELIVERABLE</b>	<b>SCHEDULE</b>
<b>C</b>	Draft permit and factsheet consistent Region 9 templates	In accordance with schedule outlined in TD. However, no later than June 30, 2020.
<b>C</b>	Final permit, factsheet, incorporating EPA comments; and administrative record supporting permit and factsheet	In accordance with schedule outlined in TD. However, no later than June 30, 2020.

**Task D** – The EPA WACOR will issue technical direction to the contractor prior to any work on deliverables within Task D.

**Task E** – The EPA WACOR will issue technical direction to the contractor prior to any work on deliverables within Task E.

The Contractor shall notify the Contracting Officer (CO) and EPA WACOR in writing when 75% of the authorized work assignment LOE/labor hours and cost have been expended.



## VIII. ANTICIPATED TRAVEL REQUIREMENTS

All non-local travel shall be approved in advance by the Contract-Level Contracting Officer's Representative (CL-COR) and shall be in accordance with the Contract.

## IX. ADDITIONAL REQUIREMENTS:

Office direct costs (ODCs) for copying, postage/courier, supplies, computer usage, and graphics are allowed.

Upon issuance of written technical direction, the contractor shall submit for inspection of all work in progress at any time under this work assignment. The contractor shall develop and maintain files supporting each task.

The contractor shall contact the EPA WACOR and/or the CL-CCOR by telephone to discuss any problems that may adversely affect the work on this Work Assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the EPA WACOR and the PO.

### **CONTRACTOR IDENTIFICATION**

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

### **CONTROL REQUIREMENTS**

#### 1. Quality Assurance Project Plan (QAPP):

Task A = Biological Evaluations

If EPA determines that modeling is needed for development of Biological Evaluations – to evaluate exposure of chemicals to biological species of concern – then EPA will identify this need in technical direction issued by the EPA WACOR and the contractor shall demonstrate its application of quality assurance for modeling efforts either by providing its own QAPP for this project, a QAPrP for modeling or the equivalent which may utilize a model that already has been calibrated and validated and peer-reviewed, therefore fulfills QA expectations. As another alternative, contractor may apply QA checklist provided in Appendix C of EPA QA/G-5M.

Task C = Permit Writing

Region 9 has not developed a NPDES Quality Assurance Program Plan (QAPrP) that describes the NDPEs program's quality system, roles and responsibilities of all



participants and the requirements for producing and using data of known quality. The contractor shall provide evidence of its own quality assurance system for NPDES permit writing. This may consist of a checklist or other equivalent documentation. Contractor may be required to perform additional quality assurance measures as requested by the EPA WACOR.

Tasks B, D & E = MS4 Assistance, Evaluation of permits w/ food processor discharges and Stormwater permit writer training.

If it is determined that a QA Project Plan is required to document data quality requirements for any data-related activities or their data elements or for modeling, then the technical direction shall include a task to develop a QA Project Plan in accordance with R-5 and prior to beginning any tasks related to data and/ or modeling. For data quality, this QA Project Plan will (i) identify the data elements for the data-related activities, and (ii) establish the data quality requirements for these data elements.

2. Enforcement Sensitive Information:

The contractor recognizes that contractor employees in performing tasks specified in the PWS may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without Environmental Protection Agency (EPA) approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or work assignment, or with access to materials developed pursuant to such efforts, understand that this information is confidential, and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

3. Project Employee Confidentiality Agreement:

The contractor agrees that the contractor employee shall not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under the work described in the PWS, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA WACOR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of all work described in the PWS.

4. Conferences and Workshops:

The tasks under this work assignment may require the acquisition of “off-site” facilities for conference(s) and meetings as defined in the IPN 12-05. The contractor shall immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the Contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

5. Performance Requirements and Measurable Standards:

This WA will be evaluated in accordance with the Quality Assurance Surveillance Plan in the contract award document.

## X. ATTACHMENT 1

### More about Biological Evaluations (BEs) to Support Permitting Actions

BEs generally include the following:

- Project description - Describe the what, when, where, and how of the project. Describe (1) **what** the project or action is; (2) **where** the project is (refer to attached maps); (3) **when** the action is going to take place, time line/implementation schedules; (4) **who** is going to do the action and under what authority, include name and address of the applicant; and (5) **how** the action will be accomplished. If it is multi-phased, describe the what, when, where and how of each phased separately. Identify any conservation measures that will be implemented to avoid, reduce, or eliminate adverse effects or that would benefit the protected species or critical habitat.
- Describe the project area - For determining whether a species or critical habitat “may be present,” it is necessary to delineate the “action area.” Action area is defined as all areas that may be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action. It encompasses the geographic extent of environmental changes (i.e., the physical, chemical and biotic effects) that will result directly and indirectly from the action. Action area is typically larger than the area directly affected by of the action.
- Describe the physical and biological attributes of the action area (e.g., topography, vegetation, condition and trend). Also, identify any management or activities already occurring in the area.
- Identify listed or proposed species that “may be present.” List all species that “may be present” in the area and where you obtained this information. If you determined that a particular species that may be present in the general area, *but not in the action area*, it is helpful to identify that species and to explain why it is not present in the action area.
  - For each species that “may be present,” describe the current habitat conditions within the action area. If known, include population status and trend. For critical habitat, identify the primary constituent elements that occur in the action area. For a description of the primary constituent elements, refer to the rule in the Federal Register that designated the critical habitat.
- Describe how the action may affect each protected resource - This section should document your conclusion and supporting rationale. Document your analysis of the what, when and how the protected resources will be exposed to and how such individuals or habitat are likely to respond to this exposure. Remember that you must consider effects that may occur later in time (e.g., after completion of initial construction). If species experts were contacted, include a summary of the conversations/conclusions reached. Include the references for the literature that your analysis relied upon.

## **The General BE Outline**

1. Introduction.
2. Description of the Action and Action Area.
3. Status of Species and Critical Habitat and Essential Fish Habitat: Names the species in the action area, determines which species are no effect from the action, provides a discussion of the species to be evaluated in the BE, and describes the essential fish habitats present in the action area. Species descriptions should include: status and distribution, life history, critical habitat, and description of presence in in the action area.
4. Environmental Baseline: Provides a description of the environmental baseline including all past and present impacts of all Federal, state, or private actions and other human activities in the action area. The section includes a description of the land use, habitats in the area, sedimentation, and hydrology.
5. Effects of the Action: Presents the direct and indirect effects of the action on the listed species or critical habitat. The section includes a qualitative discussion of the likelihood species will come into contact with the action area,
6. Species Response Analysis: Presents the qualitative and quantitative discussion of the effects of the pollutants of interest on the threatened species in the action area.
7. Effect of Action on Tribal Resources.
8. Summary of Determinations: Presents a summary table of the listed species in the action area with effects determination by pollutant of interest and summarize the overall effects determination.
9. Cumulative Effects.
10. Conclusions and supporting rationale.

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>						Work Assignment Number 3-72				
						<input type="checkbox"/> Other <input type="checkbox"/> Amendment Number:				
Contract Number EP-C-16-003			Contract Period 07/01/2016 To 06/30/2021 Base                      Option Period Number    3			Title of Work Assignment/SF Site Name R9 Municipal Stormwater Permit				
Contractor EASTERN RESEARCH GROUP, INC.					Specify Section and paragraph of Contract SOW See PWS					
Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval						Period of Performance  From 07/01/2019 To 06/30/2020				
Comments: Work shall not start and cost cannot incur until July 1, 2019. On July 1, 2019, and in accordance with clause B.2 of the contract, immediate start is hereby approved for this work assignment. If the work plan is not approved within 30 calendar days after receipt of the work plan, the contractor shall stop work.										
<input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund										
SFO <input type="checkbox"/> (Max 2)                      Note: To report additional accounting and appropriations date use EPA Form 1900-69A.										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:				LOE: 0				
07/01/2016 To 06/30/2021										
This Action:						455				
Total:						455				
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name    Peter Kozelka  <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(Signature)</div> <div>(Date)</div> </div>						Branch/Mail Code: Phone Number: 415-972-3448 FAX Number:				
Project Officer Name    Tangela Cooper  <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(Signature)</div> <div>(Date)</div> </div>						Branch/Mail Code: Phone Number: 202-566-0369 FAX Number:				
Other Agency Official Name  <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(Signature)</div> <div>(Date)</div> </div>						Branch/Mail Code: Phone Number: FAX Number:				
Contracting Official Name    Tammy Adams  <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(Signature)</div> <div>(Date)</div> </div>						Branch/Mail Code: Phone Number: 513-487-2030 FAX Number:				

**PERFORMANCE WORK STATEMENT (PWS)**  
**CONTRACT NO. EP-C-16-003/Option Yr. 3**  
**WA No. 3-72**  
**Anticipated Level of Effort (LoE): 455 hours**

1. **TITLE:** Municipal Stormwater Permit Program support

**Task A: Evaluation of Municipal Stormwater Permit Monitoring –completed in OPTION YEAR 2**

**Completion of Task B: Resource and Training Materials for Developing Municipal Stormwater Programs – partially completed in OPTION YEAR 2 OF WA 2-72 OF THIS CONTRACT; more contractor support is needed in OPTION YEAR 3**

2. **PERIOD OF PERFORMANCE:** 07/01/2019 through 06/30/2020
3. **EPA WORK ASSIGNMENT CONTRACTING OFFICER’S REPRESENTATIVE (WACOR):**

Peter Kozelka  
EPA Region 9  
75 Hawthorne St. Mail Code: WTR 2-3  
San Francisco, CA 94105  
(415) 972-3448  
[kozelka.peter@epa.gov](mailto:kozelka.peter@epa.gov)

**EPA ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER’S REPRESENTATIVE (ALTERNATE WACOR):**

Pascal Mues  
EPA Region 9  
75 Hawthorne St. code: WTR 2-3  
San Francisco, CA 94105  
(415) 972-3768  
[mues.pascal@epa.gov](mailto:mues.pascal@epa.gov)

4. **BACKGROUND**

Clean Water Act (CWA) Section 402 regulates treatment and discharge of pollutants to waters of the U.S. from urban stormwater discharge sources through issuance of Section 402 Municipal Separate Storm Sewer System (MS4) permits. Environmental Protection Agency (EPA) and state permitting authorities have issued up to 5 rounds of MS4 permits. EPA and states have invested substantial compliance program resources in inspecting and auditing MS4 programs to evaluate compliance with permit requirements and identify opportunities to improve stormwater program

performance in reducing stormwater pollution.

With the assistance of ERG under work assignment 1-72, Work Assignment 2-72 and a separate contract work assignment (Contract EP-R9-16-02 Task Order 0004) with PG Environmental, EPA Region 9 conducted 2 workshops with a diverse group of experts and stakeholders to evaluate opportunities to improve MS4 permitting approaches to facilitate improvements in local stormwater program implementation. Final reports describing the first and second workshop processes and recommendations were provided by ERG in May 2018 and October 2018 respectively.

During Option Year 2 (contract EP-C-16-003/WA 2-72) – EPA, with support from the contractor, determined it would be better to present the contents as a web-based resource, instead of a traditional document/handbook and materials. EPA is now referring to the contractor deliverable as “Resource for Developing Municipal Stormwater Programs.” The resource will explain why particular program elements are important and need to be developed cohesively, and how they can be developed, drawing heavily upon existing case studies to illustrate how peers have developed these program elements and showing the benefits they have yielded. This will not be a formal guidance document; it will represent a compilation of model program best practices and findings from organizations that have evaluated key attributes of successful municipal stormwater programs, supported by specific information about how to develop program elements in each area. The resource will enable EPA to highlight the utility of new, innovative, planning, tracking, and implementation tools that enable better stormwater management at lower cost. This resource will build upon and reference other related efforts by EPA and other organizations to build local stormwater program capacity, focusing on how these key program elements fit together into an integrated whole that is critical to building a successful program over time. The contractor provided the draft outline to EPA in April 2019.

Many ongoing efforts to improve state and local capacity to address municipal stormwater are addressing individual areas of need without recognizing how they relate to and depend upon each other. In other words, addressing any one or two of the key areas listed above without addressing the others will not enable communities to build the overall capacity to succeed in the long run. Developing and applying an overarching program development resource will greatly assist efforts to build understanding of the need to interlink these types of planning and analysis to build an integrated set of technical, managerial, financial and planning skills and capabilities in municipal programs.

## **5. PURPOSE AND OBJECTIVE**

OPTION YEAR 3 – The contractor shall continue to provide technical, analytical, and report writing support to EPA to develop and re-fine a web-based resource and associated training materials to assist local governments in strengthening their municipal stormwater programs and building the capacity necessary to carry out actions necessary to provide desired service levels, protect water quality, comply with regulatory requirements, and achieve collateral goals in urban water management. The web-based resource and training materials shall address the following:

- Key program characteristics and capabilities, including the need to make the “business case” for robust stormwater management (benefits and avoided costs of better stormwater management)
- The importance of long-term planning to set goals and identify needed future actions/investments
- The role of asset management planning systems in tracking and maintaining current assets and accounting for new ones
- Key strategies to carry out successful program outreach, marketing, and public involvement activities necessary to secure adequate program support and resources
- Key strategies for organizing municipal stormwater programs as independent utilities or components of larger municipal water management enterprises
- The importance of long-term financial planning, taking into account funding needs, revenue sources, potential public-private financing strategies, affordability considerations, and their connection to long term program commitments to evaluate past monitoring and evaluation provisions of municipal stormwater permits (MS4 permits).
- Key strategies for engaging private parties and investors in stormwater management, including structure of municipal incentive programs to encourage private party participation, crediting programs, and Public-Private Partnership (P3) models.

The contractor shall continue to provide scoping assistance to EPA Region 9, EPA Region 3, other EPA Regions, and EPA Headquarters to fine-tune the scope, content, and presentation approach for the web-based resource and training materials. Based on continued scoping and planning efforts, the contractor shall further develop a web-based resource and associated training materials in modular form focusing on each of the topic areas outlined above. This work assignment does not plan for the contractor delivering training, rather EPA anticipates using the materials prepared by the contractor in a series of training and outreach workshops and webinars.

## **6. SCOPE OF WORK**

**TASK A-1, A-2, A-3 WERE COMPLETED IN OPTION YEAR 1 and 2.**

**TASK B WAS PARTIALLY COMPLETE IN YEAR 2, SPECIFICALLY the CONTRACTOR COMPLETED AN OUTLINE OF CONTENT FOR STORMWATER WEB-BASED RESOURCE (TASK B-1 DELIVERABLE). CONTRACTOR SUPPORT IS NEEDED IN OPTION YEAR 3 TO COMPLETE TASKS B-2 AND B-3; SOME OF TASK B-1 MAY ALSO BE NEEDED.**

OPTION Year 3 - The contractor shall continue, in consultation with EPA Regions 3, 9 and a planning group convened by EPA Regions 3 and 9, to assist in further scoping, organizing and developing a web-based resource and associated web-based training module to assist local governments in municipal stormwater (MS4) program development. Briefly, the tasks are:

- B-1 Participate in scoping conference calls, as needed, with EPA to re-fine the training resource.



- B-2 Prepare a draft and final web-based resource and associated training material content based on the outline delivered in Task B-1.
- B-3 Prepare a web-based training module focusing on strategies for engaging private parties and investors in stormwater management, including structure of municipal incentive programs to encourage private party participation, crediting programs, and Public-Private Partnership (P3) models.

## **TASK B – Web-based Resource and Training Materials for Developing Municipal Stormwater Programs**

### **TASK B-1 – Participate in Training Resource Scoping Calls, as needed.**

Within three weeks of July 1, 2019, the contractor shall coordinate a meeting with the EPA WACOR and EPA Technical Contact to provide review of task scope and to discuss goals of stormwater training resource. As necessary, the contractor shall participate in conference calls of a resource planning group convened by EPA Region 9. The contractor shall take notes on each scoping call and work with the EPA Technical Contact to develop a web-based resource outline based on scoping calls and content and material provided by the EPA Technical Contact and Planning Group members. The EPA WACOR will confer with the contractor in scheduling calls to ensure contractor's availability and participation.

### **Task B-2 – Prepare Draft and Final Training Web-based Resource**

Under this task, the contractor shall develop a draft web-based resource (and as needed associated training materials) based on the outline and scoping discussions addressed in Task B-1. EPA will review and provide comments on this draft web-based resource within one month. Within two months after receipt of EPA's comments, the contractor shall provide a final training resource. It is anticipated that the training resource may be organized in modular form to facilitate its use by EPA, state, and local stormwater program users. Based on discussions with the EPA WACOR and EPA Technical Contact, the sequence and schedules for developing, providing draft modules, and providing final modules may be modified to assist preparation of the web-based resource through this modular approach. The contractor shall also assist uploading the final web-based resource onto a website to be determined by EPA.

### **Task B-3 – Public Private Financing Web-based Training Module**

Under this task the contractor shall develop a training module to be included in the Stormwater Financing Training Program being developed by the Water Infrastructure Resilience and Finance Center (WIRFC). This module will focus on strategies for engaging private parties and investors in stormwater management, including structure of municipal incentive programs to encourage private party participation, crediting programs, and Public-Private Partnership (P3) models. The module will follow the outline and format previously developed by the WIRFC team developing this training program. The draft training module content will be submitted for EPA review based on schedule to be determined in discussion with contractor; EPA will issue technical directive

regarding schedule for Task B-3. EPA will review and provide comments on this draft module within 2 weeks. Within 2 months after receipt of EPA's comments, the contractor shall provide a final training module and assist with uploading to a website to be determined by EPA.

## 7. DELIVERABLES REQUIRED AND SCHEDULE FOR COMPLETION OF TASKS

<b>SUMMARY OF DELIVERABLES AND DUE DATES</b>			
Task/Subtask	Deliverable	Distribution	Due Date*
<b>Task B-1: Training Resource Scoping Calls and Outline</b>			
1.a.	Initial meeting/call and additional planning calls, as needed, with EPA WACOR, EPA Technical Contacts, EPA planning workgroup	EPA WACOR and EPA Technical Contact, EPA planning workgroup	Within three weeks of July 1, 2019
1.b.	Meeting/call planning summary notes	EPA WACOR and EPA Technical Contact, EPA planning workgroup	One week following planning calls
1.c.	Participate in planning workgroup calls as subject matter expert, facilitator, and note taker		TBD via written technical direction from the EPA WACOR
<b>Task B-2: Prepare Draft and Final Training Resource</b>			
2.a.	Draft Resource (and separate training materials, if appropriate)	EPA WACOR and EPA Technical Contact, EPA planning workgroup	Two months after July 1, 2019.
2.b.	Final Resource	EPA WACOR and EPA Technical Contact, EPA planning workgroup	Two months after receipt of EPA comments
<b>Task B-3: Prepare Draft and Final Private Financing Training Module</b>			
3.a.	Draft module (and separate training materials, if appropriate)	EPA WACOR and EPA Technical Contact, EPA planning workgroup	Schedule to be determined by discussion with contractor and technical

<b>SUMMARY OF DELIVERABLES AND DUE DATES</b>			
Task/Subtask	Deliverable	Distribution	Due Date*
			directive.
3.b.	Final module	EPA WACOR and EPA Technical Contact, EPA planning workgroup	Two months after receipt of EPA comments

\*Note: all due dates are based on July 1, 2019, assumes 30 days in month.

The Contractor shall notify the CO and EPA WACOR in writing when 75% of the authorized work assignment LOE/labor hours and cost have been expended.

Contractor may assume one trip for two people to participate in EPA meetings where topic of Training Resource is on the agenda.

## **8. ANTICIPATED TRAVEL REQUIREMENTS**

All non-local travel shall be approved in advance by the Contract-Level Contracting Officer's Representative (CL-COR) and shall be in accordance with the Contract.

## **9. ADDITIONAL REQUIREMENTS:**

Other direct costs (ODCs) for copying, postage/courier, supplies, computer usage, and graphics are allowed.

Upon issuance of written Technical direction, the Contractor shall submit for inspection of all work in progress at any time under this work assignment. The Contractor shall develop and maintain files supporting each task.

The contractor shall contact the EPA WACOR/CL-COR by telephone to discuss any problems that may adversely affect the work on this work assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the EPA WACOR and CL-COR.

## **10. CONTRACTOR IDENTIFICATION**

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

## **11. CONTROL REQUIREMENTS**

1. Quality Assurance Project Plan (QAPP):

Development of MS4 permit training materials does not involve data generation nor the direct evaluation of data. Tasks herein focus on training development and policy decisions, not regulatory program decisions; thus, a QAPP is not required. Discussions of data will be general and not influenced by individual data nor groups of data. Additionally, stormwater permit program managers who generate environmental data are responsible for the data's quality, and it is their responsibility to develop a QAPP, if one is needed for their primary data uses.

2. Enforcement Sensitive Information:

The contractor recognizes that contractor employees in performing tasks specified by this WA may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without Environmental Protection Agency (EPA) approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this WA, or with access to materials developed pursuant to such efforts, understand that this information is confidential, and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

3. Project Employee Confidentiality Agreement

The contractor agrees that the contractor employee shall not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under this contract, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA WACOR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years of all work described in the PWS.

4. Conferences and Workshops:

The tasks under this work assignment may require the acquisition of "off-site" facilities for conference(s) and meetings as defined in the IPN 12-05. The Contractor shall

immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the Contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

5. Performance Requirements and Measurable Standards:

This WA will be evaluated in accordance with the Quality Assurance Surveillance Plan in the contract award document.

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>						Work Assignment Number 3-73				
						<input type="checkbox"/> Other <input type="checkbox"/> Amendment Number:				
Contract Number EP-C-16-003			Contract Period 07/01/2016 To 06/30/2021 Base                      Option Period Number    3			Title of Work Assignment/SF Site Name NPDES Permit in Region 10				
Contractor EASTERN RESEARCH GROUP, INC.					Specify Section and paragraph of Contract SOW See PWS					
Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval						Period of Performance  From 07/01/2019 To 06/30/2020				
Comments: Work shall not start and cost cannot incur until July 1, 2019. On July 1, 2019, and in accordance with clause B.2 of the contract, immediate start is hereby approved for this work assignment. If the work plan is not approved within 30 calendar days after receipt of the work plan, the contractor shall stop work.										
<input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund										
SFO <input type="checkbox"/> (Max 2)                      Note: To report additional accounting and appropriations date use EPA Form 1900-69A.										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:				LOE: 0				
07/01/2016 To 06/30/2021										
This Action:						200				
Total:						200				
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name    Jayne Carlin						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 206-553-8512				
						FAX Number:				
Project Officer Name    Tangela Cooper						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 202-566-0369				
						FAX Number:				
Other Agency Official Name						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number:				
						FAX Number:				
Contracting Official Name    Tammy Adams						Branch/Mail Code:				
<b>TAMMY ADAMS</b> Digitally signed by TAMMY ADAMS Date: 2019.06.17 07:56:47 -04'00' _____ (Signature)                      (Date)						Phone Number: 513-487-2030				
						FAX Number:				

**PERFORMANCE WORK STATEMENT  
CONTRACT EP-C-16-003  
WORK ASSIGNMENT 3-73**

**TITLE: NPDES Permit Development Support in Environmental Protection Agency (EPA) Region 10**

- Task A: NPDES Permit Development & Technical Support
- Task B: Biological Evaluations in Compliance with ESA

**WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):**

**Jayne Carlin**

EPA Region 10

1200 6<sup>th</sup> Ave Mail Code: OWW-192

Seattle, WA 98101

(206) 553-8512

Carlin.jayne@epa.gov

**ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (AWACOR):**

**Jamey Stoddard**

EPA Region 10

1200 6<sup>th</sup> Ave Mail Code: OWW-191

Seattle, WA 98101

(206) 553-6110

Stoddard.jamey@epa.gov

**PERIOD OF PERFORMANCE:** July 1, 2019 through June 30, 2020

**LEVEL OF EFFORT:**

3<sup>rd</sup> Option Year: 200 hours

**BACKGROUND**

The Clean Water Act (CWA) authorized efforts to restore and maintain the Nation's waters, including Section 402 of the Act specifically created of the National Pollutant Discharge Elimination System (NPDES) permit program to regulate and reduce the point source pollution. Point sources must obtain a discharge permit from the proper authority, including states, tribes, and territories. EPA Regions are responsible for implementing the NPDES permit program in non-delegated States and for federal and tribal dischargers in authorized States. The States of Washington, Oregon and Alaska are authorized to operate the NPDES program. EPA is gradually delegating Idaho's NPDES program in a phased approach. EPA continues to issue NPDES permits to federal facilities and facilities located on tribal lands. The Contractor will provide technical support in specific tasks related to NPDES permit development and issuance.

The 1973 Endangered Species Act (ESA), 16 U.S.C. 1531 *et seq.*, was enacted to protect and conserve endangered and threatened species and critical habitat. The Fish and Wildlife Service (FWS) of the Department of the Interior and the National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce (collectively *the Services*) share primary responsibility for administration of the ESA.

ESA section 7 requires that federal agencies consult with the Services to ensure that any action authorized, funded, or carried out by the agencies that could affect a listed species or critical habitat and to ensure that their actions are not likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of critical habitat of such species. The ESA section 7 regulations are in 50 CFR Part 402. The FWS maintains a worldwide list of endangered species. Species include birds, insects, fish, reptiles, mammals, crustaceans, flowers, grasses, and trees. When EPA issues NPDES permits, EPA is required to consult with the “services” to ensure that the permitting action is not likely adversely impact the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of critical habitat of such species.

Consultation may be either informal or formal. An informal consultation in the form of a biological evaluation determines if an action is or is not likely to adversely affect the species. A formal consultation is required if the findings from the informal consultation show that there is a likelihood for adverse impacts and evaluates whether the proposed action is likely to jeopardize the continued existence of the species. In developing NPDES permits, EPA Region 10 is required to develop and submit Biological Evaluations to demonstrate that the permitting action is unlikely to cause adverse effects of the action on listed and proposed species and designated and proposed critical habitat and demonstrates that any such species or habitat to the FWS/NMFS for review and approval. The services review of the biological evaluation and the outcome of this informal consultation determine whether formal consultation or a conference is necessary. This documentation and any decisions from the FWS/NMFS would become part of the permit documentation. EPA must consider potential discharges of the permit and its effects on endangered and threatened species and their habitat in the area covered by the permit. The Contractor may continue to provide technical support in the preparation of biological evaluations for upcoming NPDES permitting actions. Work on this task began under Work Assignment 2-73 of this contract EP-C-16-003.

### **PURPOSE AND OBJECTIVE**

The Contractor shall provide technical support in specific tasks related to NPDES permit development and preparation of biological evaluations for upcoming NPDES permitting actions. Specific tasks on which assistance is to be provided will be identified to the Contractor in a technical directive issued by the EPA Work Assignment Contracting Officer’s Representative (WACOR).

### **ASSUMPTIONS AND CONSTRAINTS**

The Contractor shall demonstrate an understanding of, and follow, all applicable laws, regulations and policies.

The Contractor shall only follow technical direction received from the WACOR. The Contractor is authorized to contact the technical contact listed in the technical direction directly only to obtain additional information or clarify technical information but shall copy WACOR.

The Contractor shall ensure compliance with Agency standards.

### **SCOPE OF WORK**

This Performance Work Statement (PWS) describes possible tasks to support EPA Region 10 within the context of the NPDES permitting requirements of the Clean Water Act and



consultation requirements under the Endangered Species Act. The Contractor shall perform all activities in a manner consistent with all federal data requirements.

## **A: Project Management**

For the purposes of scoping of this work assignment, assume 5% of hours towards project management tasks.

### **Tasks**

The Contractor shall set up, prepare an agenda and participate in kickoff meetings with the WACOR via conference calls at the beginning of each option period and new projects in which the WACOR intends to issue Technical Directions (TD). The kickoff meeting with the WACOR shall cover the following topics: points of contact, roles and responsibilities, quality assurance protocols, timelines, the schedule of benchmarks, milestones and deliverables, establish dates and times for monthly calls and monthly technical progress reports and general TO administrative information.

The WACOR shall set up, prepare an agenda and participate in calls between WACOR and/or EPA staff and the Contractor's technical lead to discuss the progress of the work under this Work Assignment (WA) and for specific tasks under TDs, as appropriate.

Unless told otherwise by the WACOR, the Contractor shall provide meeting summaries after the calls within five (5) business days in draft form for the WACOR (and others as directed by the WACOR) to review. The summary shall include decisions, action items and significant points made during the discussion. The WACOR shall provide any edits and/or comments on each meeting summary or approve the meeting summary without change; then the final written meeting summary shall be provided within five (5) business days after receipt of comments from the WACOR.

If there is more than one active project under this WA, the Contractor shall provide funding status updates that shall include projected or allocated funding, remaining funding and Contractor's technical lead for each active project under this WA. The Contractor and WACOR will agree on the format and deadlines during the initial kick off call. This is not the same requirement as the monthly progress reports required by the contract.

The Contractor shall ensure the tasks and deliverables outlined in technical direction are compliant with federal laws and regulations (as appropriate).

The Contractor shall track the tasks and deliverables outlined in technical directions to ensure they stay on schedule and within the allotted budget. The Contractor shall alert the WACOR early when deadlines may be missed, or the costs may be higher than projected. The Contractor shall notify the EPA WACOR of any problems, delays or questions as soon as they arise, including immediate notification of any quality assurance issues and project delays.

### **Deliverables and Schedule**

<b>TASK</b>	<b>DELIVERABLE</b>	<b>SCHEDULE</b>
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<b>A</b>	Kickoff call summaries	Within 10 working days of July 1, 2019 and 5 working days after receipt of draft Technical Direction by WACOR.
<b>A</b>	Conference calls and meeting summaries	Draft within 5 business days Final within 5 business days after receipt of comments from the WACOR
<b>A</b>	Progress & Funding Status Reports by Project	Monthly unless WACOR changes frequency by technical direction.

## **B: Permit Development Support**

For the purposes of scoping of this work assignment, assume 5% of hours towards permitting support tasks.

### **Tasks**

The Contractor shall provide technical support of EPA's NPDES permit program (traditional NPDES permit(s) and/or municipal separate storm sewage system (MS4) or other stormwater-related permit(s) or portions thereof) to address the current backlog. Specific tasks on which assistance is to be provided will be identified to the Contractor in a technical directive issued by the WACOR. The Contractor may be asked to provide the following services:

- Preparing draft permits (and supporting documentation) or selected permit components;
- Providing specialized technical assistance on various NPDES topic;
- Preparing fact sheets or selected components of the fact sheets;
- Providing a technical and/or editorial review of draft permits, fact sheets, and final permits;
- Compiling and organizing comments received during the public comment period;
- Helping to prepare a response to comment document;
- Compiling the administrative record and other tasks related to NPDES permit development;
- Reviewing data that has been provided by EPA Region 10, the discharger or other parties as part of the permit application process;
- Identifying, collecting, and reviewing any additional background data for each facility to be permitted and the affected receiving water needed to properly evaluate the need for permit limitations and conditions; and
- Supporting development of materials for public meetings and other types of meetings.

Unless otherwise requested by the WACOR, the documents shall be in either .DOC or .PDF file formats (for text) or .XLS format (for tracking spreadsheets) and shall be accessible, functional and free from computer viruses or other technology problems.

If it is determined that a QA Project Plan is required to document data quality requirements for any data-related activities or their data elements or for modeling, then the technical direction shall include a task to develop a QA Project Plan in accordance with R-5 and prior to beginning any tasks related to data and/or modeling. For data quality, this QA Project Plan will (i) identify the data elements for the data-related activities, and (ii) establish the data quality requirements for these data elements.

## Deliverables and Schedule

TASK	DELIVERABLE	SCHEDULE
B	Comments on draft Technical Direction (TD) provided by WACOR including estimated hours.	Within 5 business days after receipt of TD or TD clarification call.
B	Conduct activities and provide deliverables in accordance with TD.	In accordance with schedule outlined in TD.

## C: Biological Evaluations

### Tasks

The Contractor shall continue to provide technical support to EPA on development of biological evaluations (BEs) for upcoming NPDES permitting actions. The Contractor provided support under the previous work assignment 2-73. The WACOR shall provide a template and/or examples of biological evaluations as part of the technical direction. A general outline of BEs and additional information about BEs are provided the Attachment 1. The Contractor could conduct, update or revise any of the following tasks:

- **Create GIS Maps to Support the BE** – This task will create a series of GIS maps of the action, action area, species locations, and critical habitats. Maps may include: general geography, land use, outfall locations, BMP locations, tribal land boundary, species locations, and critical habitat areas.
- **Draft Description of Listed Species** – This task will draft the text for Section 3.0 that identifies the species in the action area, determines which species are classified as no effect and provides a species-specific description of the status and distribution, life history, critical habitat, and presence within in the action area for the species under consultation for the BE.
- **Draft Description of the Essential Fish Habitat Present in the Action Area** – This task will draft the text describing the EFH in the action area. The text will include a list of species with an EFH in the action area, description of the location of EFH in the action area, a qualitative description of the effects of the action on each EFH, a description of how the action will affect major prey species and life history stages for each species.
- **Draft Environmental Baseline Description** – This task will draft the text for the environmental baseline description that includes the following: a description of the land use, habitats in the area, sedimentation, hydrology, and the condition of the threats to the species under consultation. This task will also download and summarize the background water quality data available for the waterbody(ies).
- **Summarize the Effectiveness of Stormwater Management BMPs in Permit** – This task will draft the text for the BMP effectiveness discussion in the BE.
- **Draft Species Exposure Discussion** – This task will draft the qualitative discussion of the likelihood species will come into contact with the discharge.
- **Draft Discussion of Potential Stressors** – This task will summarize any end-of-pipe stormwater monitoring data collected in the action area. This task will draft a discussion of the potential stressors to listed species from the action based on the monitoring data and pollutants typically found in stormwater.
- **End-of-Pipe and Receiving Water Modeling Analysis** – This task will model the estimated stormwater loads and concentrations at the end-of-pipe for each outfall and the

system as a whole. This task will also model the estimated receiving water concentrations in the waterbody(ies) resulting from stormwater discharges. This task will prepare an appendix documenting the modeling methodology and results. This task will draft a discussion of the estimated changes to the environmental baseline from the action.

- ***Conduct the Species Response Analysis*** – This task will present a qualitative discussion of the effects of pollutants lacking specific concentration response on listed species. This task will identify species-specific effects thresholds for each pollutant. The task will compare the receiving water modeling results with effect thresholds to determine likelihood the action may affect listed species. The task will determine the final affect determination of the action for each species.

Unless otherwise requested by the WACOR, the documents shall be in either .DOC or .PDF file formats (for text) or .XLS format (for tracking spreadsheets) and shall be accessible, functional and free from computer viruses or other technology problems.

If it is determined that a QA Project Plan is required to document data quality requirements for any data-related activities or their data elements or for modeling, then the technical direction shall include a task to develop a QA Project Plan in accordance with R-5 and prior to beginning any tasks related to data and/or modeling. For data quality, this QA Project Plan will (i) identify the data elements for the data-related activities, and (ii) establish the data quality requirements for these data elements.

#### **Deliverables and Schedule**

<b>TASK</b>	<b>DELIVERABLE</b>	<b>SCHEDULE</b>
<b>C</b>	Comments on draft Technical Direction (TD) provided by WACOR including estimated hours.	Within 5 business days after receipt of TD or TD clarification call.
<b>C</b>	Conduct activities and provide deliverables in accordance with TD.	In accordance with schedule outlined in TD.

#### **CONTRACT PWS REFERENCE**

See Contract PWS Page 1-10 of 14.

#### **ANTICIPATED TRAVEL REQUIREMENTS**

All travel shall be approved in advance by the Contract-Level Contracting Officer's Representative (CL-COR) and shall be in accordance with the Contract.

#### **ADDITIONAL REQUIREMENTS**

Upon issuance of written technical direction, the Contractor shall submit for inspection of all work in progress at any time under this work assignment. The Contractor shall develop and maintain files supporting each task.

#### **CONTRACTOR IDENTIFICATION**

To avoid any perception that Contractor personnel are EPA employees, the Contractor shall assure that Contractor personnel are clearly identified as independent Contractors of EPA when attending meetings with outside parties or visiting field sites.

## **CONTROL REQUIREMENTS**

### Quality Assurance Project Plan (QAPP):

Publishing on the NPDES website does not require a QAPP, since the people who generate the data are responsible for the data's quality, and it is their responsibility to develop a QAPP, if one is needed for their primary data uses. The Contractor shall provide source references for data that is published on the website.

The Contractor shall contact the WACOR and/or the Alternate Work Assignment Contracting Officer's Representative (Alternate WACOR) by telephone to discuss any problems that may adversely affect the work described in the PWS. Within five (5) calendar days the Contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be provided via email to the WACOR with a copy to the Alternate WACOR and Contracting Officer.

### Enforcement Sensitive Information

The Contractor recognizes that Contractor employees in performing tasks specified in the PWS may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without EPA approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all Contractor personnel, including but not limited to, sub-contractor and consultant personnel assigned to work on this work assignment, or with access to materials developed pursuant to such efforts, understand that this information is confidential, and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All Contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

### Project Employee Confidentiality Agreement

The Contractor agrees that the Contractor employee shall not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the Contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the Contractor under the work described in the PWS, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA WACOR. If a Contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the Contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of all work described in the PWS.

### Conferences and Workshops:

The tasks under this work assignment may require the acquisition of "off-site" facilities for conference(s) and meetings as defined in the IPN 12-05. The Contractor shall immediately alert the WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The WACOR will then

prepare approval internal paperwork for the event and will advise the Contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

Performance Requirements and Measurable Standards: This WA will be evaluated in accordance with the Quality Assurance Surveillance Plan in the contract award document.

## ATTACHMENT 1

### More about Biological Evaluations (BEs) to Support Permitting Actions

BEs generally include the following:

- Project description - Describe the what, when, where, and how of the project. Describe (1) **what** the project or action is; (2) **where** the project is (refer to attached maps); (3) **when** the action is going to take place, time line/implementation schedules; (4) **who** is going to do the action and under what authority, include name and address of the applicant; and (5) **how** the action will be accomplished. If it is multi-phased, describe the what, when, where and how of each phased separately. Identify any conservation measures that will be implemented to avoid, reduce, or eliminate adverse effects or that would benefit the protected species or critical habitat.
- Describe the project area - For determining whether a species or critical habitat “may be present,” it is necessary to delineate the “action area.” Action area is defined as all areas that may be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action. It encompasses the geographic extent of environmental changes (i.e., the physical, chemical and biotic effects) that will result directly and indirectly from the action. Action area is typically larger than the area directly affected by of the action.
- Describe the physical and biological attributes of the action area (e.g., topography, vegetation, condition and trend). Also, identify any management or activities already occurring in the area.
- Identify listed or proposed species that “may be present.” List all species that “may be present” in the area and where you obtained this information. If you determined that a particular species that may be present in the general area, *but not in the action area*, it is helpful to identify that species and to explain why it is not present in the action area.
  - For each species that “may be present,” describe the current habitat conditions within the action area. If known, include population status and trend. For critical habitat, identify the primary constituent elements that occur in the action area. For a description of the primary constituent elements, refer to the rule in the Federal Register that designated the critical habitat.
- Describe how the action may affect each protected resource - This section should document your conclusion and supporting rationale. Document your analysis of the what, when and how the protected resources will be exposed to and how such individuals or habitat are likely to respond to this exposure. Remember that you must consider effects that may occur later in time (e.g., after completion of initial construction). If species experts were contacted, include a summary of the conversations/conclusions reached. Include the references for the literature that your analysis relied upon.

### The General BE Outline

1. Introduction
2. Description of the Action and Action Area

3. Status of Species and Critical Habitat and Essential Fish Habitat: Names the species in the action area, determines which species are no effect from the action, provides a discussion of the species to be evaluated in the BE, and describes the essential fish habitats present in the action area. Species descriptions should include: status and distribution, life history, critical habitat, and description of presence in in the action area.
4. Environmental Baseline: Provides a description of the environmental baseline including all past and present impacts of all Federal, state, or private actions and other human activities in the action area. The section includes a description of the land use, habitats in the area, sedimentation, and hydrology.
5. Effects of the Action: Presents the direct and indirect effects of the action on the listed species or critical habitat. The section includes a qualitative discussion of the likelihood species will come into contact with discussion,
6. Species Response Analysis: Presents the qualitative and quantitative discussion of the effects of the pollutants of interest on the threatened species in the action area.
7. Effect of Action on Tribal Resources
8. Summary of Determinations: Presents a summary table of the listed species in the action area with effects determination by pollutant of interest and summarize the overall effects determination.
9. Cumulative Effects
10. Conclusions



<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460 <b>Work Assignment</b>						Work Assignment Number 3-75				
						<input type="checkbox"/> Other <input type="checkbox"/> Amendment Number:				
Contract Number EP-C-16-003			Contract Period 07/01/2016 To 06/30/2021 Base                      Option Period Number    3			Title of Work Assignment/SF Site Name Oregon ODEQ				
Contractor EASTERN RESEARCH GROUP, INC.					Specify Section and paragraph of Contract SOW 3.4, 3.5, 3.7, 3.8, 3.9, 4.3, 5.0, 6.0, 7.0, 8.0					
Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out <input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding <input type="checkbox"/> Work Plan Approval						Period of Performance  From 08/12/2019 To 06/30/2020				
Comments: In accordance with clause B.2 of the contract, immediate start is hereby approved for this work assignment. If the work plan is not approved within 30 calendar days after receipt of the work plan, the contractor shall stop work.										
<input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund										
Note: To report additional accounting and appropriations data use EPA Form 1900-69A.										
SFO <input type="checkbox"/> (Max 2)										
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										
Authorized Work Assignment Ceiling										
Contract Period:		Cost/Fee:				LOE: 0				
07/01/2016 To 06/30/2021										
This Action:						1,824				
Total:						1,824				
Work Plan / Cost Estimate Approvals										
Contractor WP Dated:				Cost/Fee		LOE:				
Cumulative Approved:				Cost/Fee		LOE:				
Work Assignment Manager Name Jamey Stoddard						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 206-553-6110				
						FAX Number:				
Project Officer Name Tangela Cooper						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 202-566-0369				
						FAX Number:				
Other Agency Official Name						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number:				
						FAX Number:				
Contracting Official Name Tammy Adams						Branch/Mail Code:				
_____ (Signature)                      (Date)						Phone Number: 513-487-2030				
						FAX Number:				

**PERFORMANCE WORK STATEMENT**  
**CONTRACT EP-C-16-003**  
**WORK ASSIGNMENT 3-75**  
**ANTICIPATED LEVEL OF EFFORT (LOE) HOURS: 1,824**

**1. TITLE:** Technical Support for Oregon's National Pollutant Discharge Elimination System Permit (NPDES) Program

**2. WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):**

Name: Jamey Stoddard  
USEPA Region 10  
1200 6<sup>th</sup> Avenue, Suite 155, M/S: WD 19-C04  
Seattle, Washington 98101-3188  
206.553.6110

**ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE  
(ALTERNATE WACOR):**

Name: Jayne Carlin  
USEPA Region 10  
1200 6<sup>th</sup> Avenue, Suite 155, M/S: 19-C09  
Seattle, Washington 98101-3188  
206.553.8512

**3. PERIOD OF PERFORMANCE:** Date of Issuance through June 30, 2020

**4. BACKGROUND**

The Clean Water Act (CWA) authorized efforts to restore and maintain the Nation's waters. Section 402 of the CWA created the National Pollutant Discharge Elimination System (NPDES) permit program to regulate the discharge of point source pollution to waters of the United States. Point sources must obtain a discharge permit from the proper NPDES permitting authority, including delegated states, tribes, and territories. Environmental Protection Agency (EPA) Regions are responsible for implementing the NPDES permit program for non-delegated states and for all Federal dischargers and non-delegated tribal dischargers in authorized states.

Under CWA Section 106, EPA provides a water pollution control grant to the State of Oregon to help build and sustain effective water quality programs that ensure the health of its coastal and

inland waters. The Section 106 grant supports a wide variety of water pollution prevention and control programs and activities, including NPDES permits.

Oregon's Department of Environmental Quality (DEQ) is authorized to implement the NPDES program in Oregon. DEQ has requested EPA Region 10 (R10) utilize a portion of Oregon's CWA Section 106 funds to provide associated program support assistance for several NPDES permit writing tasks and eReporting training for industrial stormwater permit registrants. Contractor support to be performed under this Work Assignment (WA) represents part of EPA's technical support to Oregon's NPDES program and will assist in the protection of receiving water quality.

On August 17, 2018, DEQ entered into a Consent Judgement with Northwest Environmental Defense Center, Columbia Riverkeeper, and Oregon Industrial Stormwater Group as an intervener regarding the 1200-Z industrial stormwater general permit renewal. In summary, DEQ committed to:

- By October 31, 2018, DEQ will issue a final revised 1200-Z permit in accordance with ORS 183.484(4) that affirms or modifies the 1200-Z issued on August 1, 2017;
- By October 30, 2020, DEQ will release for public review and comment a revised draft 1200-Z permit and;
- By March 30, 2021, DEQ will issue a final revised 1200-Z permit along with written responses to public comments received on the draft revised 1200-Z permit.

On October 22, 2018, DEQ reissued the 1200-Z incorporating several short-term changes from a Settlement Agreement by the parties signed in August 2018. The remaining terms of Settlement Agreement will be considered as DEQ works on the permit renewal. The Settlement Agreement also defines the scope for the rulemaking advisory committee meetings. In summary, DEQ committed to the following:

- A process for considering proposed numeric technology-based effluent limitations (TBELs), or, alternatively, proposed numeric technology-based benchmarks for the pollutants copper, lead, zinc, and total suspended solids;
- A process to consider one or more proposed site-specific, Total Maximum Daily Load (TMDL) -specific, or state-wide numeric water quality-based effluent limitations, Water Quality-Based Effluent Limitations (WQBELs) related to impaired waters; and
- Development of appropriate monitoring and reporting requirements to ensure and verify compliance at discharge point(s) identified in each permit registrant's stormwater pollution control plan, with numeric TBELs, WQBELs, or benchmarks included in the permit revision.

The terms of the Settlement Agreement require extensive data analyses and technical work to determine the appropriate discharge requirements in the permit. The data analyses and technical work associated with the permit renewal will be presented to the advisory committee

that is providing input to DEQ as the agency works through the permit renewal process. Since the general permit will be adopted by rule instead of a Department Order, the advisory committee process and permit recommendations will be presented to the Environmental Quality Commission, which is responsible for adopting the final permit.

Like many states Oregon faces numerous challenges implementing the CWA, including addressing a backlog of administratively extended NPDES permits and meeting the federal eReporting requirements and timelines for all NPDES permits. To date, Oregon is successfully meeting the requirements to submit the Discharge Monitoring Reports for all of the individual NPDES permits but not any of the general NPDES permit registrants. Oregon has over 1,000 permit registrants under the industrial stormwater general permits. All permit registrants need assistance and tools to set up profiles in EPA's electronic reporting system to be able to submit the required Discharge Monitoring Reports quarterly.

## **5. PURPOSE AND OBJECTIVE**

The purpose of this WA is to provide technical support and assistance to DEQ's NPDES Permit Program in the development of the industrial stormwater general permits and implementing eReporting and Net Discharge Monitoring Report (NetDMR) requirements. DEQ seeks assistance from contractors with extensive NPDES industrial stormwater expertise to assist with the renewal of the 1200-Z industrial stormwater general permit and assistance with eReporting training and outreach to the 1,000 + industrial stormwater permit registrants across Oregon.

The work performed will use DEQ permit development and communication tools and templates. The work described may be extended beyond the Period of Performance only if: (1) EPA exercises Option Period IV of the contract and extends the Period of Performance for this work assignment; (2) DEQ has a need for continued contractor support; (3) the contractor has achieved acceptable quality levels for products and deliverables; and (4) the contractor receives notice of the availability of funding.

## **6. GENERAL WORK ASSIGNMENT REQUIREMENTS**

The contractor shall comply with the following requirements in completing the tasks described in this WA.

Deliverable Formatting – Throughout this WA, the contractor shall provide both EPA and DEQ draft deliverables in electronic format (.doc and .pdf) and final deliverables in both electronic (.doc and .pdf) and hard copy formats. All deliverables shall be provided to both the WACOR and alternate WACOR designated in this WA, as well as the designated DEQ contact identified after work initiation.

Confidential Business Information (CBI) – This work assignment does not require the use of confidential business information. The contractor shall not have access to CBI.

Identification as Contracting Staff – To avoid the perception that contractor personnel are EPA or DEQ employees, contractor personnel shall be clearly identified as independent contractors of EPA when participating in events with outside parties and visiting field sites. When speaking with the public, the contractor should refer all interpretations of policy to the WACOR and DEQ.

Management of the Work Assignment – The contractor shall develop a work plan describing the necessary steps and estimated hours to complete each of the tasks included in this WA. The work plan shall also include a list of the key personnel to participate in the WA. The contractor shall also estimate direct costs such as travel, computer costs, typing, etc. The work plan is due per the contract requirements.

The contractor shall provide electronic copies of a monthly progress reports to the WACORs. Each progress report shall describe the work and expenditures for the same time period as the corresponding invoice. The reports shall list by task the amount of work completed and include a table of hours by personnel for each task. The reports also shall identify any problems or difficulties. Finally, the monthly report should include a discussion of quality assurance progress. In addition, the contractor shall provide brief, bi-weekly status updates to DEQ and the WACOR on the status and progress of Task 1.

Assumptions and Constraints – The contractor shall possess and exercise a comprehensive, expert-level understanding of the CWA and all other relevant Federal water quality laws and regulations as well as possess the experience, technical expertise, and resources necessary for NPDES permit renewals.

The contractor is authorized to contact DEQ directly to obtain additional information but shall copy the WACORs on all information requests and document all requests and responses. The contractor shall inform the WACORs of any such information requirements. In consultation with DEQ, the contractor shall follow technical direction received from the WACOR and/or alternate WACOR.

Within 10 business days of the WA initiation, DEQ will provide the contractor with all available documents and information necessary to draft two NPDES permits.

Enforcement Sensitive Information – The contractor recognizes that contractor employees in performing tasks specified in this WA may have access to data/information of enforcement sensitive nature which should not be released to the public without DEQ approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether

administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or task order, or with access to materials developed pursuant to such efforts, understand that this information is confidential and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

Project Employee Confidentiality Agreement – The contractor agrees that the contractor employee shall not disclose, either in whole or in part, to any entity external to DEQ, the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under the work described in the PWS, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the WACOR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of all work described in this WA.

## **7. TASKS**

The tasks in this WA fall under Tasks 3.4 (Technical and Administrative Program Support), 3.5 (NPDES Permits Support), 3.7 (Information Management—Outreach), 3.8 (Technical Writing and Editing ), 3.9 (Support for Meetings, Workshops, Conferences, and Webcasts), 4.3 (Quality Assurance Project Plans), 5.0 (Technical Support for Revisions and Administration of NPDES Permits), 6.0 (Outreach and Stakeholder Engagement Support), 7.0 (Logistical Support), 8.0 (Data Collection) of the Contract No. EP-C-16-003 Performance Work Statement (PWS).

### **Task 1: NPDES Industrial Stormwater General Permit—Technical Analyses [PWS Tasks 3.4, 3.5, 3.8, 4.3, 5.0, 8.0]**

#### **Task 1-A: Develop Supplemental Quality Assurance Project Plan (s-QAPP)**

A QAPP is required whenever tasks involve the generation, distribution or use of environmental data which will be used, or has the potential to be used, in environmental decision making. Environmental data is information that describes environmental processes, locations or conditions, and health effects or consequences. It can be collected directly from measurements (primary data), produced from models, or compiled from other sources (existing or secondary data). A contract level QAPP has been developed to describe the contractor's plan for assuring

the quality of these data over their life cycle. All data-related activities shall be conducted in accordance with the Office of Water Quality Management Plan (QMP).

A supplemental-QAPP is required for this work assignment as the work involves obtaining and using existing (secondary) water quality data (from benchmarks, Oregon's Integrated Report, etc.) for calculations. The s-QAPP will be based on the contract-level programmatic QAPP developed for EP-C-16-003. The s-QAPP should document the source of the data used to calculate and consider proposed numeric technology-based effluent limitations or, alternatively, proposed numeric technology-based benchmarks for the pollutants copper, lead, zinc, and total suspended solids and consider one or more proposed site-specific, TMDL-specific, or state-wide numeric water quality-based effluent limitations, related to impaired waters as well as any quality requirements for this data (i.e. participation in the Discharge Monitoring Report Quality Assurance (DMR-QA) Study Program).

### **Task 1-B: Project Management and Administration**

The contractor's responsibilities shall include regular coordination with the EPA's WACOR and technical expert(s) and DEQ staff to ensure preparation all work is compliant with state and Federal laws and regulations, and on a schedule, which meets the needs of Oregon DEQ and the period of performance for this contract. All support must be provided prior to November 30, 2020.

- a. **Kick-off Meeting:** An initial kick-off meeting for the contractor to meet with DEQ and the WACOR. The objective of the kickoff is to provide a review of the scope of permit writing tasks assigned to the contractor and discuss any preliminary issues. This meeting may take place in person or via video- or teleconference. The contractor shall prepare the agenda and meeting notes, and the agenda shall identify any information the contractor will need to receive from DEQ to begin work. The contractor shall submit the draft agenda to DEQ and the WACORs at least three business days prior to the meeting.
- b. **Coordination and Planning:** The contractor shall be available for routine communication, planning and coordination with DEQ and the WACORs. The contractor shall confirm in writing any significant decisions or agreements made during these interactions. The WACOR shall be copied on any communications between the contractor and DEQ. These interactions shall take place at least once a month (possibly as part of the Monthly Update Calls, see next), or as needed during normal business hours, via telephone, email, skype, video conferencing or in person.
- c. **Project Schedule:** Within 10 business days of the kick off meeting, the contractor shall develop a detailed project schedule for meeting task and WA deadlines for DEQ and WACOR review.
- d. **Bi-Weekly Status Emails:** The contractor shall provide brief, bi-weekly status updates to DEQ and the WACORs via email.

- e. **Monthly Update Calls:** The contractor shall participate in monthly update calls with DEQ and the WACOR(s) to detail progress on each active work project (permit), identify and correct problems, and provide feedback on permitting issues in individual areas. These calls shall be structured as an item-by-item review of the Progress Report.
- f. **Submission Requirements:** Other significant communications or submissions of work assignment deliverables shall be sent by e-mail to DEQ and the WACORs. Documents shall be in both .doc and .pdf file formats (for text) and shall be accessible, functional and free from computer viruses or other technology problems.

### **Task 1-C: 1200-Z Technical Support—Draft and Final Documents and Administrative Records**

The contractor shall provide direct technical support to DEQ for the reissuance of the industrial stormwater general permit 1200-Z. In accordance with technical direction provided by the WACOR in consultation with DEQ, the contractor may be asked to provide the following services:

- technical services and analyses in support of 1200-Z reissuance including, but not limited to: water quality and TMDL evaluations, permit limit and benchmark analysis and/or development, development and/or analysis of monitoring and reporting requirements;
- develop draft and final technical document in support of 1200-Z reissuance;
- lead technical discussions, provide technical input, and document the proceedings at advisory committee meetings;
- assist DEQ staff develop responses to comments received during public comment period on all technical work completed by the contractor and used to support the draft 1200-Z industrial stormwater general permit;
- assist DEQ in the development of the fiscal impact statement required for 1200-Z reissuance

Preliminary work products shall primarily be in electronic and format. All documents shall be consistent with applicable Federal and State Oregon laws, regulations, and guidance, and conform to Oregon's style and formatting practices as directed in the permit and presentation templates supplied by Oregon DEQ. The contractor's technical support shall be in multiple forms including PowerPoint presentations, white papers, data summaries and other formats as needed and outlined in technical directives.

The contractor is expected to participate in the advisory committee meetings via phone and webinar and may be requested to attend one or two meetings in person such as the public hearing associated with the permit renewal and/or a presentation to the Environmental Quality



Commission. DEQ will analyze and consider all the input provided throughout the advisory committee process.

The schedule, order, and specific details of Task 1-B, 1-C, and their respective subtasks will be provided via written technical direction from the WACOR in consultation with DEQ.

## **Task 2: Training and Outreach—eReporting for Industrial Stormwater Permit Registrants**

The Contractor shall provide training and outreach support to DEQ for implementing the federal eReporting/NetDMR requirements. Services and tasks may include, but are not limited to:

- Develop materials, plan logistics, and deliver five electronic reporting training workshops for permittees in various locations across Oregon, as determined by DEQ and in accordance with the EPA WACOR. The trainings shall be computer-lab-based and include hands-on assistance. Topics to be covered include how to create a Central Data Exchange (CDX) account and access DMRs; enter DMR data; sign, submit, and correct DMRs; and prepare DMR attachments.
- Develop a web-based presentation that DEQ can post to its electronic reporting website for as-needed training on stormwater permit electronic reporting.
- Provide a help desk service to augment DEQ's NetDMR Support Desk that can specifically address the needs of stormwater permit registrants. Support would include answering phone calls and emails to assist registrants with registering for CDX accounts, accessing DMRs in NetDMR, entering and submitting DMR data and attachments, and as-needed troubleshooting.

Correspondence with DEQ and the WACOR shall primarily be in electronic format. All documents shall be consistent with applicable Federal and State Oregon laws, regulations, and guidance, and conform to Oregon's style and formatting practices as directed in the permit and presentation templates supplied by Oregon DEQ.

The schedule, order, and specific details of Task 2 and its subtasks will be provided via written technical direction from the WACOR in consultation with DEQ.

## **8. QUALITY ASSURANCE**

This work assignment will involve the use of environmental data. The contractor shall follow the s-QAPP and contract-level QAPP as well as EPA QAPP guidance R-5 and G-5 for the use of environmental data necessary for permit development and/or revisions or response to comments.

## **9. REPORTING REQUIREMENTS**

The contractor shall inform the WACOR and DEQ of progress as needed, and immediately inform the WACOR and DEQ of any problems that may adversely affect the progress and completion of this WA. The monthly report shall include Quality Assurance progress.

The contractor shall notify the WACOR and the CO when expenditures of 75% of the WA LOE or funding are reached. Monthly expenditures by task shall be reported to the WACOR in the invoice.

All final publications must be 508 compliant and adhere to EPA's Information Quality Guidelines.